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ABSTRACT

Testimony on the bill to amend the Defense Department Overseas Teachers Pay and Personnel Practices Act (1984) is presented. Statements are recorded from: (1) Representative Mary Rose Oakar (Ohio); (2) Keith Geiger, vice president, National Education Association; (3) William L. Smith, Director, Administrative Resource Management Services, U.S. Department of Education; (4) Dr. Beth Stephens, Director, Department of Defense Schools, U.S. Department of Defense; (5) Greg Humphrey, director of legislation, American Federation of Teachers; (6) Bruce Thale, president, Panama Federation of Teachers, American Federation of Teachers; (7) Robert W. McGurrin, president, Overseas Federation of Teachers, American Federation of Teachers; (8) Carolyn Becraft, director, National Information Center on Women and the Miitary, Women's Equity Action League; and (9) Jack Rollins, president, Overseas Education Association, National Education Association. A communication is included from Carolyn Becraft, director, Women and the Military Project, Women's Equity Action League. (JD)

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OVERSEAS TEACHERS ACT OF 1984

HEARING

BEFORE THE

SUBCOMMITTEE ON COMPENSATION AND EMPLOYEE BENEFITS

OF THE

COMMITTEE ON POST OFFICE AND CIVIL SERVICE HOUSE OF REPRESENTATIVES

NINETY-EIGHTH CONGRESS

SECOND SESSION

ON

H.R. 6175

A BILL TO AMEND THE DEFENSE DEPARTMENT OVERSEAS TEACHERS PAY AND PERSONNEL PRACTICES ACT

SEPTEMBER 26, 1984

Serial No. 98–58

Printed for the use of the Committee on Post Office and Civil Service

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OVERSEAS TEACHERS ACT OF 1984

WEDNESDAY, SEPTEMBER 26, 1984

HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON COMPENSATION AND EMPLOYEE BENEFITS, COMMITTEE ON POST OFFICE AND CIVIL SERVICE,

Washington, DC.

The subcommittee met, pursuant to call, at 1:06 p.m., in room 304, Cannon House Office Building, Hon. Mary Rose Oakar presiding.

STATEMENT OF HON. MARY ROSE OAKAR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OHIO

Ms. OAKAR. The Subcommittee on Compensation and Employee Benefits will come to order.

The purpose of the subcommittee's hearing this afternoon is to receive testimony on H.R. 6175, the "Overseas Teachers Act of 1984."

On August 10, 1984, I, along with my subcommittee colleagues, Congressmen Douglas Bosco, Mickey Leland, and Frank McCloskey, introduced the Overseas Teachers Act of 1984. This bill will help ensure that we attract and retain superior teachers in the overseas school system in order to guarantee the finest possible education for the children of the members of our armed services and civilian employees serving abroad.

As a former teacher myself, I believe I approach this legislation with an understanding and great appreciation for the pressures, frustrations, and joys of the profession.

Yet, despite the growing awareness of the valuable contribution elementary and secondary teachers make to our society, salaries and benefits are uniformly inadequate in this female-dominated profession. So, I must say it is good to see some men decide to become educators, as well.

While test scores of students are rising in the United States, much more needs to be done to ensure a quality education for all our students. Our very existence as a nation depends on our ability to educate our young so that they will possess the knowledge and skills our society and the world demands today and tomorrow.

The constitutional mandate to "Provide for the common defense" includes not only weapons systems, but educated personnel to operate such systems. In this era of military technology the combat soldier must use highly complicated, sophisticated weaponry. Education has become an integral part of our "common defense," and it is a moral defense, as well.

Just as the Federal Government funds the massive and varied weapons of defense and peace, so must the Federal Government fund and provide for the development of the most important weapon to me for defense and peace—the human mind.

As we all know, the overseas school system is difficult to administer. There are serious problems as might be expected in any worldwide system that relies on three military departments for most of its logistical and personnel support. However, many problems in the system are self-inflicted.

For example, I note, that in the Department of Defense school system administrators are predominantly male, 97 percent, even though the teaching pool from which administrators are selected is predominantly female, 85 percent. It is not to say, by the way, that the men who are administrators are not doing a good job; it is just an observation and, of course, that is I think somewhat typical of most educational institutions in the States, as well.

The building of new schools is inadequate for student needs from the day they open; schools very often lack supplies, including such basic items as books; the management policy of hiring locally ensures that there is no substitute pool of teachers available for emergencies and or teacher training days.

Furthermore, a longer school day, an increase in the number of periods per school day, and the removal of inservice days from the school calendar have been implemented without explanation or educational rationale. I think that is reprehensible, particularly since teachers working abroad have already given up so much of their personal lives. The kinds of policies that have no rhyme or reason must not be thwarted upon the most important influence in an educational institution, the educator.

A new supply system—basic operating supply system, BOSS—has been implemented and found to be nonfunctional. Teacher requests for leave without pay to attend board of directors' meetings are often denied in spite of past practices. Teachers travel from around the world for training in computer maintenance only to arrive and find the course canceled. Teachers are very often refused duty-free time during the work day for personal needs. Teachers are not given a duty-free lunch very often and, in most cases, are required to perform nonprofessional duties which could be better performed by aides.

In all fairness, it must be pointed out that DODDS is a worldwide system and the administrator's job, especially the principal's, are myriad and complex. The DODDS principal faces a variety of problems not encountered by a stateside principal.

These problems include the transportation of teachers from the United States, housing and medical facilities, and pay and housing allowances in addition to the normal problems of administering a school program.

Most important, the DODDS principal must, in addition to the DODDS' chain of command, deal with local military commanders who, while not in the chain of command, act somewhat as landlords of the schools.

The military departments also provide transportation, housing, hospitals, commissaries, gasoline and car repairs, postal services, personnel actions, and financial services including the issuing of

paychecks. It is obvious that the administering tasks performed by the principals are extremely difficult and complex.

The legislation before us today addresses one aspect of the DODDS system, the pay and personnel practices concerning DODDS teachers. Through H.R. 6175, we are attempting to create a more equitable and efficient program that will attract and retain highly qualified educators in the overseas system.

In addition, we are seeking changes in the DODDS that should raise the morale of teachers overseas which should result in an improved educational program. Though only one facet of the overseas program, teachers are, in my opinion, the most important part of the quality education provided the children of our military members and civilian employees stationed overseas.

Over the past several years, there has been an increased emphasis on excellence in education. An analysis of various reports on the state of education in this country leads to one inescapable conclusion—all things being equal, teachers make the difference. We are trying to keep outstanding teachers in the overseas classroom.

The DODDS overseas school system is a Federal school system responsible for the education of more than 140,000 American children. These children are primarily sons and daughters of our servicewomen and men who contribute so much to the defense of our country, and who deserve nothing less than the best possible education for their children. Certainly, for our military families, nothing rates higher or is more important than the family's being together, with their children assured of a quality education, regardless of where they are stationed around the world.

I am very, very pleased that so many witnesses are here and I want to also welcome the teachers and those in this field who came from other countries, who are Americans who serve us in other countries who took the time out to be at this hearing today. We want to pay a special tribute to all of you. I think you will agree that we do not necessarily want to see a teacher go in space—that would be nice—but we could really use the money on more fundamental things, such as teachers' salaries, smaller classes and better conditions, so that they really can get on with the education of people right here on Earth.

So, I am really pleased to have you all here. And I also want to say that I had an opportunity to go to Sweden not too long ago, and Millie Vinicor, who is on my staff, as well, did have the opportunity to meet with some of the overseas teachers in that part of the world, and I know it was a very, very valuable experience, and we really got to know a little bit better some of the problems.

We are very, very pleased to have had that experience and we look forward to other experiences so that we can take a personal look at the problems that exist in the overseas school systems.

I would like to ask Mr. Keith Geiger, who is the vice president of the National Education Association, to please come up and we would love to have your testimony.

I want to say at the outset that all of this testimony is for the record and is related to the bill H.R. 6175. I hope everyone understands that we do not have more members of the committee here because these are the last days of this session, and there must be at

least 100 conference reports going on. So, it is about the busiest time for all Members in this session.

I would just like to say that I know a number of members, including the minority leader, who wanted to be here to hear your testimony, but they will definitely read the report, and many of the people on this committee are the original sponsors of the bill. So, I think it is obvious where they stand and that they are very interested in this issue.

Please understand that it is hard to be in more than one place at the same time. We have not learned how to do that yet, but we are working on it.

Mr. Geiger, would you just tell us who is with you and we will proceed?

STATEMENT OF KEITH GEIGER, VICE PRESIDENT, NATIONAL EDUCATION ASSOCIATION, ACCOMPANIED BY JACK ROLLINS, OVERSEAS EDUCATION ASSOCIATION, AND RONALD AUSTIN, OVERSEAS EDUCATION ASSOCIATION

Mr. GEIGER. Yes, thank you, Madam Chair, member of the subcommittee. Jack Rollins is on my right, and Ron Austin is on my left, both from the Overseas Education Association. In case you are wondering why they are seated here, it has nothing to do with anything except they are both bigger than I am, so I put one on either side in case I needed them.

If, when we get into the questions, there are any questions of a technical nature, I would ask one of them to respond to it since they are involved in the daily activities of the Overseas Education Association.

I am Keith Geiger, vice president of the National Education Association, and I am substituting today for President Futrell, who wanted to testify and was going to testify, but when the date of the testimony was changed she had a conflict, so I am substituting for her.

I might indicate that both President Futrell and I have within the past year and a half—had the opportunity to visit our members in the Overseas Education Association, so I think we are speaking from experience of the kinds of things they talked to us about.

Ms. OAKAR. If I can just correct myself, it was in Frankfurt that we had a nice visit, not Sweden. We did go to both countries, but we were not able to meet with the teachers in Sweden.

Mr. GEIGER. OK, thank you.

It is with great pleasure that I appear before this subcommittee today in order to speak in support of H.R. 6175, the Overseas Teachers Act of 1984. In my view, this bill might more properly be called the Overseas Military Dependents Act of 1984 because its purpose is to ensure that highly motivated teachers are attracted to and are retained by the overseas system—guaranteeing a superior public school education for the children of those who give so much in the service of this country.

As an officer of the NEA, I have had the personal opportunity to visit with our American teachers overseas and to develop an understanding of their concerns, frustrations, and unique problems.

Teaching abroad is neither, as some might believe, an extended vacation nor an exotic adventure, and believe me, it wasn't either one of those for my short visit. The challenges that face American teachers at home do not end at the water's edge. Indeed, these problems are magnified and compounded. Overseas teachers must adjust to foreign languages, inadequate housing, difficult climates, different cultural values, a perennial shortage of school supplies, and inadequate classroom space. Moreover. living in the military support and control environment presents unique stress and obstacles.

It is within this context that these hearings are so essential. This committee and its Chair, Representative Oakar, should be commended for the initiation of this important session. Congress must begin to take a closer look at the Department of Defense Dependent Schools [DODDS].

The many reports focusing on education programs have generated a true national interest in the quality of our schools—quality which must be generally enhanced by a true local, State, and national partnership.

The DODDS system, however, is unique. It is a Federal school system. It serves the children of our military personnel overseas. It is administered by the Department of Defense. It is funded by the Congress. If ever there were an instance in which our National Government has the full and immediate responsibility for excellence in education, that instance lies with our overseas schools.

Indeed, many of the inequities addressed in H.R. 6175 have developed precisely because DODDS has not been totally accountable to Congress for its administrative policies. It is imperative that the appropriate congressional committees—and the Congress as a whole—carefully study this school system, review its budget and policies, and assure that it provide the finest environment for learning anywhere in the world.

The most frequent complaint I have heard from teachers abroad is the lack of appropriate relocation within the system.

Difficulties and inadequacies at a particular location may be a challenge for several years, but they eventually become intolerable burdens over time if there is no reasonable expectation of movement.

One extreme example is Guantanamo Bay, Cuba, where a teacher without dependents is housed on a military base in a small single dwelling with absolutely nowhere to go. Similar conditions also exist in other locations for teachers without dependents and, for teachers with dependents, housing varies from extremely poor to merely acceptable.

Overseas teachers are an adventurous group, willing to go anywhere and give their all under the most primitive conditions to teach children if they have a career option of occasional relocation. Until the early seventies, teachers could voluntarily transfer upon request. Thereafter, for its own reasons, the Department of Defense unilaterally decided that it was not worth the cost to move teachers at reasonable intervals.

Such Department of Defense thinking is counterproductive since confining conditions, limited options, and career uncertainty negatively affect the morale and the effectiveness of educators.

I would submit to you that legislative action to ensure reasonable transfers of teachers within the system would enhance the quality of education, significantly increase teacher morale, and increase teacher efficiency. It is more than just a benefit; it is a professional necessity. The transfer provisions contained in H.R. 6175 would address this problem in a reasonable and constructive manner.

Perhaps the most exciting concept of this bill is a proposal that would allow a reasonable income level to be achieved by teachers who remain in the system as teachers. This proposal is viable only if at every step the individual remains primarily a teacher. Over and over again we have seen good, strong teachers leave their classrooms for administration for no other reason than economy.

There is little disagreement that teaching as a profession is underpaid, and all of the reports underscore that. The Federal Government must lead the way through example—by instituing a career advancement option to keep its own teachers in the classroom. This is one of the best investments Congress could make to ensure that DODDS retains the finest instructors possible.

A defined school workday is necessary both to teachers and to managers. Unfortunately, at the bargaining table during recent negotiations with the Overseas Education Association, the Department of Defense Dependent Schools management claimed the right to assign work to teachers 24 hours a day.

Further, at the school level, there has been an endless succession of extra duties assigned to teachers outside the school instructional day as well as an extension of the schoolday itself.

The time has come for the Congress—which is responsible for the funding and the oversight of these schools—to set a fair and equitable maximum work day for teachers in the DODDS system so that friction between teachers and managers will be eliminated by defining the maximum allowable time. Management will retain the right to require additional time to be spent by teachers; however, additional compensation will be paid for that additional time.

There are just so many children a teacher can effectively teach before gifted children become bored and remedial learners and average students become frustrated. While at one time in our past history it may have been acceptable to place 40 children in a class, it is clear today that teaching such a large group is unwieldly and educationally unacceptable.

This bill seeks to limit the number of children a teacher will be expected to teach at any time during the schoolday. Pupil to teacher ratios have lost meaning to the classroom teacher with 38 children in a system that claims a 27 to 1 staffing ratio.

This bill addresses a fundamental problem—to provide each child with a quality education. There is a difference between providing custodial care and providing education to children. Numbers, like teachers, do make a difference.

In the interest of time, I will not dwell on the other provisions of this bill. I am confident that Jack Rollins, president of the OEA, will more than adequately outline their need and nature. However, there is one final issue that I believe deserves further comment.

Currently, the DODDS system of hiring builds an inequity into teacher compensation. So-called local hires—teachers hired overseas—are paid less than teachers hired by DODDS in the United

States. Compensating two people equally in talent and experience substantially different amounts of money for performing the same tasks is counterproductive. In the DODDS system we have career teachers, some with over 20 years of service, who receive $10,000 per year less in benefits based solely on the fact that they are hired outside the United States. I urge you to take steps to correct this problem as soon as possible.

Madam Chair, distance cannot be allowed to obscure the needs of our children and the rights of our educational employees abroad. H.R. 6175 is an important initiative to improve instruction and enhance student achievement in our overseas schools. The NEA looks forward to working with you to make that vital proposal the law of the land.

Once again, I thank you for taking the initiative to focus congressional interest and attention on a school system of over 140,000 students. And you will notice we increased by 5,000 from the time this report was written until today.

I am confident that out of this effort will come a finer and more responsive Department of Defense school system.

Thank you very much.

Ms. OAKAR. Thank you. It is interesting listening to your testimony. We always say we want the best for the military, yet we have ignored to a degree the real needs out there. If you will pardon my saying, there is always this wonderful healthy rivalry among unions, but when I was a member of the AFT, I remember my leaders in the union were able to negotiate certain things like class size and salaries.

I think for the record, even though I am aware of what the situation is, you ought to explain the limitation that unions have in terms of negotiation.

Mr. GEIGER. Well, I think that depends on the place of negotiations, because I am a product of Michigan and I was a leader in the Michigan Education Association, and in that State most everything was subject to negotiations, and that included class size, working conditions, et cetera.

There are some States that limit what is negotiable. There is not any question in our mind that at the bargaining table all of those issues ought to be able to be negotiated because it is those issues that determine what goes on in the classroom, the number of students in the classroom.

It is my understanding in talking to the members of the Overseas Education Association that those issues have been most difficult to negotiate. And I wouldn't assume they ought to be any more difficult to negotiate with the overseas schools than they are in some of ov[illegible]her States.

Mr. AUST[illegible]anagement has taken the position that these are nonnegotiable issues. There are appeals pending before the Federal labor authority. We don't expect decisions, though, for a number of years on these issues.

Ms. OAKAR. So you are stuck with whatever——

Mr. AUSTIN. Whatever management says is nonnegotiable, effectively stops us for several years on those issues.

Ms. OAKAR. Well, that must not be too easy. I remember in my own—well, of course, I am still on leave of absence from one of the colleges in Cleveland. [Laughter]

Believe it or not. But I remember when they tried to increase our class load and decrease our benefits. We certainly didn't just take it or leave it. We had opportunities to have some kind of communication related to those who represented the teachers.

It must be a difficult situation, and I thought that was important to get on the table.

Mr GEIGER. To be very honest, I think that is one of the reasons we are here today.

Ms. OAKAR. Sure.

Mr. GEIGER. The overseas has been told to take it or leave it, and we believe that is not in the best interest——

Ms. OAKAR. Do you think it is because the group is relatively small, that you are overseas and most Americans are not aware of the problems and do not have enough information on this kind of situation? Do you think that is why it has not yet come to the public's attention?

Mr. GEIGER. I am going to ask them to respond to that.

Mr. ROLLINS. Madam Chair, the difficulty even lies in the lack of understanding for the stateside population at large. But we, to our surprise, find that Congress knows very little about our school system.

Ms. OAKAR. That I can say is probably true.

Mr. ROLLINS. So, if the Congress knows practically nothing of our school system, it is not difficult to understand why our concerns are not being addressed. And, obviously, the news media does not project our school system in the United States either. We have a concern about even being able to communicate some concerns to the public, especially the public overseas; we are very restricted in the type of information that can be published, especially in a military newspaper.

Ms. OAKAR. Can you describe the types of individuals who would be eligible to send their children to school?

Mr. ROLLINS. Primarily the concentration is on the military dependent children. But then the Department of Defense civilian force, too, is authorized to allow their dependents to go to these schools. Also, then on a space available basis, DODD's also allows other agencies of the Federal Government, such as the Department of State and they allow American business enterprise employees overseas to send their dependents to the school system. But that is strictly on a space available basis. It is restrictive in nature.

So, it centers around the dependents of military and dependents of the Department of Defense.

Ms. OAKAR. We have a volunteer Army and it is very hard to attract people and unless we are able to provide the benefits, including the education of one's children. It seems to me that we have spent all this money on equipment yet we have forgotten the human element which is so much more important.

Mr. GEIGER. I have a suggestion. At the point that several of you as legislators decide to visit the overseas schools if you are going to be there 10 days, I would suggest that you have the administration take you around to the schools for 5 days and then you have the

teachers take you around the schools for the other 5 days, and you will see two different stories.

When I was over there I was amazed at what I was told when I was being talked by the administrators and what I was being showed and told when I was in the classrooms with the teachers. And there are some very intolerable situations going on over there.

Ms. OAKAR. Well, if we do do that, we certainly want to have all viewpoints, there is no question about that.

I may submit some other questions to you in writing. We have a full schedule. So, I am very glad to have your testimony. I am sorry but I have not yet acknowledged my colleague, Mr. McCloskey. Did you have a question?

Mr. MCCLOSKEY. May I just ask two or three?

Ms. OAKAR. Absolutely.

Mr. MCCLOSKEY. Mr. Geiger, your last comment ties in very well with a question that I had planned to ask previously, but I had the pleasure briefly of attending a DODDS administrators conference several months ago in Bloomington, IN, my hometown. And I asked about preference as to parents, and that group whether the school should be administered by Department of Defense or Department of Education. And it was sort of a cheering squad for the Department of Defense.

Obviously, your last statement would lead me to believe that teachers might have something else to say overall as far as their perception of the administration of the school.

Mr. GEIGER. Well, the position right now, as I understand it, is that in 1986 it will be transferred from the Department of Defense to Department of Education. We believe that that is the most educationally sound and is the proper place for DODDS, in the Department of Education.

I have also been aware of all of the discussion and the controversy around that. And while we believe that that is most educationally sound, I am going to reserve the recommendation on what we would ask that you do to the people that are seated behind me because they represent the members of the Overseas Education Association, and in the final analysis we would ask the members what we do.

But educationally, we believe it would be much better in the Department of Education.

Mr. MCCLOSKEY. A couple of brief questions. Can you give me examples of extent of years of service in places like Guantanomo Bay, or Devils Island, or whatever? How long can and do people hold out in situations like that?

Mr. GEIGER. Well, they can give you the examples, but let me respond to that by saying, and this is the thing that was the most frightening to me of all the experiences when I was there about 10 or 12 days. I don't know whether it is in writing or whether it is told to teachers, or whether because of past practice people just think it, but when one signs up from here to go over and teach in the overseas schools, it is inferred to them that this is the greatest thing since sliced bread—that you get to travel and if you go to Germany for 3 years and you decide that you want to move to Korea for 2 years, that the options are open.

And I will tell you flat out I never saw more frustrated people in all my life as when I went to the Philippines, or when I went to Japan, and found somebody who had been teaching for 15 years, and for the last 7 years straight he had requested a transfer, and knows he is never going to get it.

Now, if that, in fact, is what's going to happen, then we have got to be honest on the front end and tell these people that it is not the Life of Riley anymore like it was 20 years ago. That if you teach in Germany for 3 years, you then have a—they want a shot at it. They all think there isn't even a chance anymore. But, yet, when they are hired something tells them, and I don't know what it is, that they have a shot at a transfer. They don't—reality says they don't have it now.

You can give examples or tell me I am wrong, but that's what I saw when I was over there.

Mr. MCCLOSKEY. Maybe just one concluding question. You mentioned the military interpretation of a 24-hour-day-service requirement. Can you cite any examples of real arbitrariness or abuse with people demanding that type of accountability?

Mr. GEIGER. I would ask Ron Austin or Jack Rollins to respond to that.

Mr. ROLLINS. Yes, sir, if I may just briefly. We have had introduced to us in the past year, maybe 2 now, a new concept for teachers overseas and when you talk about your duty day.

We went to the bargaining table with trying to bargain the teacher workday, and we had in mind what the contract has—there is a concept called instructional day where you are with students and instructions. And then there is a teacher workday—there is a period of time in which you use for preparations or whatever duties that are related to that job. And, to us, that was the amount of time starting in the morning and ended in the afternoon.

But recently they have introduced what they call the professional day. And that professional day has become known as the 24-hour workday because they have effectively now required teachers to stay after school for various committee meetings, faculty meetings, open house meetings, child study committee meetings, other administrative duties, extracurricular activities, and all of this spreads out into a considerable long period of time, which I have in my testimony at least 8 to 12 hours per day. And that is not the end of it. We do not see that as the end. That is why we are concerned about the teacher workday.

Mr. MCCLOSKEY. Thank you.

Ms. OAKAR. Thank you very much. As I mentioned earlier, Mr. McCloskey is one of the prime sponsors of the legislation.

Thank you for your testimony.

Mr. GEIGER. Thank you very much.

Ms. OAKAR. Our next witness is Mr. William Smith who is the Director of the Administrative Resource Management Services for the U.S. Department of Education.

Mr. Smith, thank you very much for coming, and we would be pleased to have your testimony whatever way is most comfortable for you.

STATEMENT OF WILLIAM L. SMITH, DIRECTOR, ADMINISTRATIVE RESOURCE MANAGEMENT SERVICES, U.S. DEPARTMENT OF EDUCATION

Mr. SMITH. Thank you very much, Madam Chairman. I guess I have to start by saying also that I am substituting. Dr. William Keough, who is the Administrator for the Office of Education for Overseas Dependents in the Department of Education, is ill.

I have for the last couple of years been on another assignment, but I had been the first Administrator for the Office of Education of Overseas Dependents and the last U.S. Commissioner of Education. So, I was asked to substitute, and I find it an extreme pleasure. I will not take long, but I would be more than pleased to answer any questions that you have. And I am also pleased to represent the Department of Education at today's hearing concerning H.R. 6175 legislation to amend the Defense Department's Overseas Teachers Pay and Personnel Practices Act.

The Department of Education defers, of course, to the Department of Defense on all matters of policy concerning our overseas schools, including payment of teachers and personnel practices. I am here to provide summary information on changes and trends in education practices throughout the United States in the last 3 years, particularly those that relate to the issues covered in H.R. 6175.

I also, as the Administrator, had the responsibility for preparing the Department's plan for the transfer of the overseas schools from Defense to the Department of Education and, as a result, had the opportunity to spend a good deal of time visiting many of the schools. I would have to say that without equivocation, I found them to be extremely exciting and have some opinions relative to that if you have an interest.

The year 1983 will stand out in U.S. education history as the time when public concern for education reached a sufficient height to substantially affect schools, particularly at the elementary and secondary levels.

During or very close to this year, at least nine major studies of U.S. education were conducted, including the study sponsored by the Department of Education, "A Nation at Risk," and two or three others that were done by Dr. Emily Feistritzer relative to the American teacher.

Concern about education had become widespread in the Nation, and a great number of citizens in all walks of life became involved in discussions on how U.S. education might be improved. However, if there has been one focal point in the movement toward—to achieve educational excellence in the United States, it has been the conviction that there can be no quality education without quality teaching and instruction. And, thus, that something must be done to improve the quality of teaching and the quality of instruction in the schools.

A host of ideas on how quality teaching might be achieved have emerged, with very little agreement among the proponents, particularly on details, except the need to increase the base salary of all teachers. Secretary Bell, of course, also has emphasized the im-

portance of making teacher salaries as competitive as possible within the limits of available tax dollars.

In these studies, compensation is often linked to the recommendations with the quality of the teacher's performance and the establishment of a career ladder, pay being linked to differentiated teaching responsibilities and the like. The aim is to allow an able and experienced teacher to increase his or her own salary without having to leave teaching to do so. That, of course, is in contrast to entering administration or other fields outside of teaching which appear to have a greater financial opportunity.

Career incentives may take the form of bonuses, release time to attend meetings, sabbatical leaves, and grants for inschool projects, as well as movement up a career ladder with differentiated pay, status, and pay responsibilities. Career incentive systems usually involve evaluation that include clear criteria and peer review. Secretary Bell has strongly supported such systems at the State level.

Another major area of recommendation for improving teaching that is relevant to these hearings is amelioration of teachers' working conditions. These include providing more time for preparation, limiting nonacademic duties and distractions, restricting the classload, and supporting classroom teachers with school policies that will lessen the problems of discipline.

Your interest today is not only in the recommendations that have been made by educators and concerned citizens throughout the country, but also in the educational changes that have actually taken place over the last few years that relate to the improvement of teaching. Many of these have occurred, as well, as a result of a large number of State-level task forces working on education. As a matter of fact, they point out there have been approximately 275 from April 1983 to April 1984.

Such actions most relevant to teachers, as reported in the June 1984 Education Commission of the States Report, include the following: 41 States and the District of Columbia have raised graduation requirements in the last 3 years; 25 States and the District of Columbia have taken initiatives to increase the amount or efficiency of instructional time; 42 States have strengthened teacher preparation for certification, of which 28 did so in the last 17 months; and 20 States and the District of Columbia have already instituted some form of career incentive that provides compensation in relation to quality of work—as in merit pay, career ladder, or the master teacher plan—while many other States are considering implementing similar plans.

Other State legislative initiatives have included enactment of policies to assist inadequate teachers to improve or to provide for their dismissal, and provision for additional training in math, science, and computer science. By the end of 1983, legislation to improve teacher training in these subjects had been introduced in at least 15 States and had been passed in nine.

Much attention has also been given to raising the level of compensation for teachers not only in relation to the quality of performance but across-the-board as well. According to the NEA report for 1983-1984, 15 States and the District of Columbia had increased teacher salaries across-the-board by an 8 percent over those of the previous year. The National Center for Educational Informa-

tion reported in summer of 1984 that 11 States were implementing across-the-board salary increases and 10 more had proposed salary increases.

I hope that the information about the efforts during the last several years to improve teaching across the country will be of some use to the committee. During this period, excellence in education has become a national priority, widespread discussion has insued, and action is taking place in a number of areas.

I believe that the data concerning trends represent just the beginning of a national movement to raise standards in the classroom, with improvement of teaching as a central issue. It seems to me then that it will, in fact, have a great bearing on the compensation of teachers.

I thank you Madam Chairman.

Ms. OAKAR. Thank you very much. We do have a vote but I am going to try to get in a couple of quick questions so that you don't have to be delayed. Thank you very much for your testimony. Of course, I have my difficulties with Secretary Bell's philosophy and I would not be candid if I did not say that.

I think it is important to emphasize the needs in education, but to blame it all on teachers and then to recommend cut backs in programs does not make sense to me. So, I would not even try and debate this statement. But I want to say for the record that I respect you and I know you are here to represent Secretary Bell, but I must take some exception to your statements that I feel very strongly about.

But let me ask you about the legislation. The Department of Education apparently favors the career ladder concept with some additional duties but with the teacher remaining primarily in the classroom. Would you care to elaborate on the Secretary's feeling on that?

Mr. SMITH. Well, yes, it is quite apparent that historically, as was mentioned by the previous speaker, the way to achieve greater compensation has been to leave the classroom and to move into those areas that provide for greater opportunity.

I think that what the Secretary has been trying to say is that we ought to be able to find compensation equal to that of those who move into administrators for teachers so that they may remain in the classroom and provide service to children in the best possible way.

Ms. OAKAR. Well, that is good. I am glad to hear that.

Do you feel that it is imperative that teachers have a duty-free lunch period and relief from other nonprofessional duties?

Mr. SMITH. Is that voting time?

Ms. OAKAR. It is but you can answer the question. That means I have to be a little faster.

Mr. SMITH. I think that the opportunity to have duty-free lunch time should be available to everybody so they can, in fact, take account of what's happened to them during the course of the day.

I think the question of what preparation periods are or not are things that ought to be clarified early enough for both the teachers and the administrators so that they know what is expected of them. There have been cases in the United States where teacher preparation time was spent in some school guarding the front door.

So, you have to ask the question what use of that time is made by administrators, whether it is in the overseas schools or whether it's in the United States.

Ms. OAKAR. Sure.

Mr. SMITH. The ideal state, of course, would be the use of preparation time as described so that children would benefit from the work done by the classroom teacher in preparation.

Ms. OAKAR. I put 40 minutes in the bill. Do you think that is adequate?

Mr. SMITH. Well, again I don't know the relationship to all of the elements that Jack talked about with regard to what is a professional day. I think that if you are going to have a period of time where the teacher can prepare, you ought to also have stipulations as to how that preparation time is used.

Ms. OAKAR. Right. Well, thank you very much.

Mr. SMITH. Thank you.

Ms. OAKAR. I appreciate your testimony. And our next witness when I return, will be Dr. Beth Stephens. Thank you.

[Recess.]

Ms. OAKAR. The hearing will come to order. Our next witness is Dr. Beth Stephens who is the Director of the Department of Defense Schools of the U.S. Department of Defense.

Dr. Stephens, thank you for coming, and it is a pleasure to have you here before the committee.

Dr. STEPHENS. Thank you.

Ms. OAKAR. Please proceed in whatever way is most comfortable for you.

STATEMENT OF DR. BETH STEPHENS, DIRECTOR, DEPARTMENT OF DEFENSE SCHOOLS, U.S. DEPARTMENT OF DEFENSE

Dr. STEPHENS. Thank you.

Madam Chairwoman and members of the committee, I am Beth Stephens, Director of the Department of Defense Dependent Schools. We term it DODDS. And I do appreciate the opportunity to appear before you and discuss H.R. 6175 today.

What I would like to do is to summarize the Department's view of this legislation. A more comprehensive analysis is being submitted for the record.

Also, Mrs. Ruth Sieg and Mr. Lyle Venable of DODDS' Personnel Division are present and prepared to respond to questions, as is Mr. William Coakley.

This proposed legislation would have the effect of providing DODDS teachers with benefits that are provided to no other civilian employees in the Federal Government or public school teachers in the United States. It would dramatically increase the cost of the program, and it would severely limit DODDS management in its missions of providing an excellent education.

To be specific, section 2 of the proposed legislation would give temporary teachers and most locally hired teachers, that is teachers who were living abroad prior to being employed by DODDS, the same benefits as an individual recruited in the United States, including recruitment incentives provided now only to employees who are recruited in the United States. To provide such incentives

to locally hired teachers, but not to locally hired school staff such as clerks, accountants, and principals, would undermine the morale of the system and it also would add significantly to the cost.

Ms. OAKAR. Well, why don't we bring them all under the law? [Laughter.]

Dr. STEPHENS. Well, it would add significantly to the cost. If you can come up with all that money, I am sure it would be considered.

Also, similar benefits would be provided to substitute teachers, as well as to teacher aides. Now, aides jobs are at the GS-2, 3 and 4 levels, but in the portion of section 4 of the bill, which addresses teacher qualifications, paraprofessionals, or teacher aides, would have to be replaced by qualified teachers and special classes with as few as 15 students would have to be staffed with 2 fully qualified teachers. One would be serving as an aide to the other.

Sections 3 and 4 of the bill would double the amount of leave provided teachers. The length of our school year is only 190 days. Yet, a teacher could be absent 20 of those days. The addition of only 1 extra day of teacher leave per year would cost approximately $1,016,000 in salaries alone. But still more important: When a teacher is away 20 days the pupils' progress is impaired.

Section 4 also would establish a unique pay system. Presently a classroom teacher position is classified as class 1. The proposed bill, however, would give automatic promotions to classroom teachers, and I stress the "automatic" promotion, not because they have changed to a more difficult job or because they have done superior work, but merely because they remained on the job. Now, we know of no similar system in the Federal Government or in the public school systems in which employees are automatically promoted for continuing to do the same work. Further, the teacher aides would be eligible for these higher levels even though, at present, a teacher aide position is classified as GS-2, 3, or 4. Because the bill would tie these levels to military rank for such purposes as housing, a teacher aide could, after a number of years, qualify for the same quarters as a lieutenant colonel, as could a substitute teacher.

Section 4 has another unique provision—that of paying teachers full salary before they are hired. This is unique. If it becomes necessary to hire a teacher locally in April, the teacher would be paid as though she or he had been hired at the start of that school year. That is, for the prior 7 months that he or she did not work. We know of no such provision in the public or private sectors.

Also, section 4 would require the payment of per diem while the teacher remains at post after school has ended and before they leave to return home to the United States. They would collect per diem payment as school closes before they return home for the summer.

Section 4 also would provide teachers with 1 year of civil service retirement credit even though they work less than 5 months or 95 days of the school year. Currently, 6 months of a calendar year are required. Additionally, this bill would be retroactive to December 1959, and it would necessitate a recomputation of the annuities of every DODDS teacher that has retired or died for the last 25 years. This would be a monumental task, and it would cost millions of dollars in administrative costs alone.

DODDS schools and teachers are certified by the North Central Association. Under the provisions of this bill, a teacher would be, and I quote the term, "qualified" if he or she earned the life certificate 30 years ago in a subject area in which he or she has never taught. We would also have to consider a teacher "qualified" if he or she taught in a subject area or grade during the last 10 years even though the teacher has no credentials for teaching that subject. Additionally, the bill would permit teachers to apply for and be considered for a vacancy for which they meet the so-called "qualification" standards. Well, vacancies occur continually in a school system the size of ours. We are the ninth largest in the United States. We would have to advertise worldwide each vacancy, select the best qualified applicant and allow time for a move.

Ms. OAKAR. Do you have a lot of vacancies? I mean, do you have a lot of problems with that?

Dr. STEPHENS. We have the usual amount of attrition due to sickness and things, but we maintain our teaching staff. Our rate of retention is high.

Ms. OAKAR. You don't have a problem recruiting.

Dr. STEPHENS. We have no problem recruiting. We have 10 applicants for every position that opens.

But if we did transfer them from one location to another during the school year, for example, say from Japan to Norway, then we would have to transfer another teacher to Japan to fill that vacancy—a domino effect. This process would take months and months, and in the meanwhile the pupils would be tossed from one substitute teacher to another.

Section 6 would provide teachers with, and I quote, "allowances not less than those described in section 5941 of title V." That is, allowances of up to 25 percent of salary under certain circumstances. Well, by providing "not less than 25 percent," teachers would receive allowances of 25 percent of base pay in areas, where other civilians may receive only 5 to 10 percent. Thus, there would be gross inequities in civilian benefits.

In summary, I would say that DODDS is moving ahead. We have evolving standards and we are seeking and providing an excellent educational program. We have a master teacher program that is being piloted in Panama that recognizes excellence in teachers and makes it possible for teachers to remain in the teaching profession and yet climb a career ladder.

We are promoting legislation that will provide junior ROTC instructors with pay comparable to that of other teachers. We have a policy for sabbatical leave. We pay the average salary that is paid to teachers from the larger school districts in the United States. We have a 190-day school year. We have increased our graduation requirements from 18 to 20 credits at the high school level. We have asked for an appropriation that will make possible lunchroom monitors.

Our pupils perform above average on achievement test scores and SAT scores. Recently when 202 middle and high schools were selected for excellence by the Department of Education, three of our schools were represented. Two of our elementary schools have been selected for excellence.

In summary, the provisions of H.R. 6175, as it is now formulated, would have a very negative impact on DODDS quality of education and on the morale of other civilians that are serving abroad, and it would grant benefits given to no other comparable overseas civilian or to public school teachers in the United States.

Accordingly, DODDS opposes enactment of H.R. 6175. Thank you.

Ms. OAKAR. Thank you very much. You mentioned there is nothing comparable in other school systems. I am not sure that's true at all. As a matter of fact, I think in many cases teachers do have some kind of idea of the class size, hours, lunch time, and preparation time. Furthermore, I don't have jurisdiction over other teachers but I do have jurisdiction here—Congress is charged with oversight of the educational system of our employees, particularly those in the military, and we are concerned about that.

So, it is fitting that we deal with the issue at hand. And if I had something to say about how teachers were treated—we are trying to relate to that in terms of pay equity to the extent that we can—I would change many of the manners in which we treat teachers in this country.

So, I really feel strongly that teachers don't have it so easy, and in professions that are non-Federal employment jobs, I am just personally sorry that I don't have more opportunities to be in a policy-making role with other educational institutions and systems across the country.

However, when you mentioned that this sets a precedent, one of the things the bill provides is the idea of a career ladder, and most Federal employees are in a career ladder where they are promoted each year for a number of years of service in which they have performed satisfactorily. That is not true of the educator, to my knowledge. It is pretty much at the whim of whatever takes place if that happens at all.

So, I really would dispute that they would be getting something that others get. Also, we really evaluate every career very individually. That is why I have introduced bills that relate to pay equity—because I am not satisfied with the way Federal employees are treated. The comparison of what Federal employees make in terms of private business, in general, is about 20 percent below the private market.

And with respect to teachers specifically, I certainly do not think that improving their situations and treating them with a little more dignity will ruin the quality of education. I think just the opposite would happen.

I guess I am reacting a little bit strongly because your statement is so strong, and I think we have to establish a pattern for the record. I am concerned about these figures you came up with.

Let me just say this. You mentioned cost is a real factor for opposing the legislation; is that correct? Would that be one of the factors that you oppose, that it would cost so much more?

Dr. STEPHENS. Well, we submit a budget as you know through the Department of Defense. And we have to justify items on that budget.

Ms. OAKAR. Sure.

Dr. STEPHENS. There has to be budget justification, and it has to be realistic in order to get it passed.

Ms. OAKAR. So, you work for the Department of Defense. It's all part of the same budget, that is correct, isn't it?

Dr. STEPHENS. It comes out of the Department of Defense appropriation.

Ms. OAKAR. I have been a student of the Department of Defense and must say that on most occasions, while I do not support all the weapon systems I have been supportive of Department of Defense budgets, but I have great concern about the enormous cost overruns. My favorite one because I compared it successfully to the amount of money that they were taking out of Medicare for the elderly, is the helicopter project that was built a couple years ago that cost taxpayers $4.6 billion more in the year's time than it was supposed to cost them. That happened to be the same amount they were trying to take out of the Medicare Program. Historically, my amendment was the first transfer amendment that had passed the House in a long, long time.

So, you talk about millions, even though I do not think your figures are accurate, and we are talking about cost overruns of billions for one weapon system, all under the auspices of the same budget. In the interest of frugality, I wish somebody was a little more concerned in other areas about being so frugal. To me, you are charged with something much more important than all those weapons. You are charged with overseeing the education of the children of those who serve our country. Somewhere in the cost overrun bracket of the Department of Defense they could come up with a few million dollars that we are talking about in the bill. Just have a little more competitive bidding, quit buying $7,000 coffee pots when they should cost $100, and I think we would save billions of dollars.

In fact, I asked the Pentagon for a list of the cost overruns—this was 2 years ago—in 1 year that were over 25 percent of what the original contract was supposed to cost the American taxpayer. Finally they gave me the list. It was a computerized list for that year alone, and the list was 14 feet long.

I remember asking Phil Gramm, my colleague, to help show my colleagues what a long list this was, and I am not trying to be sensational about it. That is just the reality.

Since the educational programs are under the auspices of the Department of Defense, I think there is some way to spend the money necessary for quality education for the children who are part of our own military and public servants abroad and still not take 1 nickel away from defense. I think that is the area of abuse, and I hope that the Department of Defense understands that I am not saying we do not need defense; I just wish that others in the Department were as interested in not charging the American taxpayers for so many things that are so unnecessary. So much abuse takes place because that is one of the sacred cows of our budget and is the largest budget item that it seems as if everything else suffers because of its vastness.

Doctor, could you explain how 1 extra day of teacher leave could cost $1,016,842?

Dr. STEPHENS. Mr. Venable, would you like to address that?

Mr. VENABLE. Yes. Madam Chairperson, the $1,016,000 daily figure represents the actual operating cost per day for teachers in our system. That is to say, that we would be without the services of, in essence, all teachers for 20 days.

Ms. OAKAR. What do you pay your substitute teachers?

Mr. VENABLE. The substitute teachers would represent an additional figure, and that additional figure of $42 a day would equate to approximately $340,000.

Ms. OAKAR. Why are you factoring in operational—the operational is given without the full-time teacher, right? You are going to keep the lights on, you are going to keep the books there. So, really the cost is the $42, isn't that right?

Mr. VENABLE. Yes, ma'am. But we represent that as a lost cost.

Ms. OAKAR. Explain that one to me.

Mr. VENABLE. It is lost productivity cost. We are paying on an average daily basis $1,016,000 per day for teachers' salaries. To add a day's leave to that equation would cost us, in terms of lost productivity, $1,016,000 per day.

Ms. OAKAR. Well, you are assuming that the substitute teacher would not be as qualified?

Mr. VENABLE. I am assuming that the substitute teacher does not do fully the job or accomplish the work that a fully qualified teacher does, yes, ma'am, that is correct.

Ms. OAKAR. So you are factoring in productivity. I do not follow you. I guess if you have 8,000 teachers and it costs $42, you come up with a figure of $336,000.

Mr. VENABLE. That is very close; yes, it is.

Dr. STEPHENS. What we are doing is paying $1,016,000 for our teachers to work that day. If they do not work, we are losing that.

Ms. OAKAR. You are losing $1 million if they have an extra day of leave. Well, I still do not understand how you come up with the figure but at least we have your answer for the record, I think.

You do state with a lot of pride, and the Chair recognizes that, Doctor—by the way, is your background education?

Dr. STEPHENS. Yes, I am a teacher.

Ms. OAKAR. You are a teacher.

Dr. STEPHENS. Yes.

Ms. OAKAR. Well, that is very good.

Dr. STEPHENS. And I have been an administrator also, an educational administrator.

Ms. OAKAR. In an overseas program?

Dr. STEPHENS. Not in an overseas program, but in the United States.

Ms. OAKAR. You state in your testimony that SAT scores are higher in DODDS than in the U.S. schools. Isn't it a fact that over the last 3 years DODDS' SAT scores are declining even though as part of the regular schoolday students in certain grades are trained to take SAT tests?

Dr. STEPHENS. Yes, but if you look at our SAT percentages, rather than having an upper say 10 percent of our students take them, we have had increasing numbers of our students take the SAT. If you look at percentages that come from the States, they're lower. Approximately 50 percent of our seniors take the SAT. As

increasingly large proportions of students take it, the average scores decrease, and the numbers in our school system who have taken it have increased percentagewise. It is just that if the upper 10 percent take it, your scores will be higher than if 50 percent, or half of your students do. Approximately half of our students take it, and we are still above the national average on SAT, even though some of the States that may have only 10 percent, or the upper 10 percent of their students taking it.

Ms. OAKAR. But what you are saying, I think, is that before 3 years ago more—less students took the test; is that correct?

Dr. STEPHENS. The percentage of our students who take the SAT has increased over the years.

Ms. OAKAR. And that necessarily makes the scores—the percentage go down.

Dr. STEPHENS. Well, if you look at a normal curve of intelligence, as more people take it, you are moving back to include the average rather than just the upper percentages of performance.

Ms. OAKAR. But it is a fact that there is a higher percentage of declining scores than ever before, right?

Dr. STEPHENS. No, I wouldn't say that.

Ms. OAKAR. You would not say that.

Dr. STEPHENS. No.

Ms. OAKAR. OK. What percentage of the students who begin in the DODDS system complete all their schooling in the system?

Dr. STEPHENS. Well, I would have to submit that for the record. I am not prepared to address that.

Ms. OAKAR. You have no idea who finishes the program?

Dr. STEPHENS. Well, we know how many finish the program. But, you see, if we are serving military and civilian employees that rotate in and out, they would be there about 3 years and return to the States.

Ms. OAKAR. You do state also in your testimony your opposition to local hires receiving the same benefits as stateside hires. Is it not true that DODDS could solve this problem administratively and what was the previous practice?

Dr. STEPHENS. Would you like to address that?

Mr. VENABLE. May I ask that the question be restated?

Ms. OAKAR. Yes. You state your opposition to local hires—what is your title, by the way, because you are answering a lot of the questions?

Mr. VENABLE. I would be happy to. I am the chief of the Pay and Position Management Program for DODDS. It is a personnel function.

Ms. OAKAR. And you are, sir?

Mr. COAKLEY. I am the Deputy Director for Compensation and Overseas Employment Policy for the Department of Defense.

Ms. OAKAR. All right. What I asked is this. In the testimony Dr. Stephens stated the opposition of the Department to local hires receiving the same benefits as the stateside hires.

What was the previous practice?

Mr. COAKLEY. I can answer that. We follow the Department of State allowances program with regard to who gets the allowances and who does not. And as I recall, the Department of State stand-

ards and regulations say that a local hire will not receive the housing allowance.

We don't have the administrative authority in Defense to change that. I suspect that maybe the State Department does since it is not fixed in law that way. The State Department might have the administrative flexibility to revise their regulations, but clearly we *don't in Defense*.

I have been associated with our Overseas Program for quite sometime. I do not remember that we ever treated it any differently than we are now. In other words, local hires have never been authorized living quarters allowance as long as I can remember, and that goes back a pretty long way.

The question has come up before this committee on many occasions in the past, and I think we have always testified and the State Department people have been over to testify that they view these allowances as recruitment and retention incentives. Where people for their own personal reasons decide that they want to go overseas and live in a particular location, then you really do not need any kind of a recruitment incentive to get them to go there. This is primarily what this policy is based on.

Ms. OAKAR. But you have so many people that are in this system more than 10 years, don't you?

Mr. COAKLEY. Quite a few.

Ms. OAKAR. And wouldn't you consider that a career employee?

Mr. COAKLEY. Yes, they are called career employees.

Ms. OAKAR. But they are not treated that way, are they?

Mr. COAKLEY. They are treated as career employees. The only difference is they do not get the housing allowance and the sole reason for that is because they elected to take up residence for their own personal reasons abroad, and we just do not feel there is any need for spending taxpayer's money to attract them somewhere when they are already located there.

Ms. OAKAR. Now, wait a minute, now wait just a minute. You are saying that the teachers are already there living and——

Mr. COAKLEY. Right, when we hire them.

Ms. OAKAR. In fact, you do not think there is motivation for people to choose a career abroad because they are attracted to the profession and to be of service where there is a need, and it is more subtle than the obvious needs in education here, educational institutions here, but it certainly a valued career, wouldn't you say? I mean where would you be without the teachers educating your personnel?

Mr. COAKLEY. We would be nowhere without the teachers, and every teacher, of course, who is hired in the United States and sent abroad gets the full package of benefits the same as any other Federal employee. But for some reason the employees who are not getting these allowances, long before they became teachers with the Defense Department decided that they wanted to live in Germany or they wanted to live in Japan for some personal reason of theirs, and they approached us in these locations and said, "I would like to teach," and we gave them a teaching job. In every other way they are treated exactly the same as the stateside teachers.

Ms. OAKAR. Yes, but they do not get the allowances.

Mr. COAKLEY. That is the only exception.

Ms. OAKAR. Well, that is an important factor. If individuals have the same rules and regulations to follow and performing the same kind of profession and one is treated differently than another, I mean it is incongruous. Just because it is a regulation doesn't mean it is right, does it? Just because you practiced that for a number of years, does that make it right?

Mr. COAKLEY. Not necessarily, but that is the basis which the State Department, who puts out that regulation, has assumed. As I said, they have testified before this committee on many occasions to that.

Ms. OAKAR. So, the Department of Defense selectively takes regulations for the State Department.

Mr. COAKLEY. Not selectively. With regard to allowances, we are bound by what the State Department issues.

Ms. OAKAR. Is that an interdepartment agreement? Because, the fight for turf around here is unbelievable.

Mr. COAKLEY. The way the law reads it delegates the authority to the President to set the regulations, and the President has delegated the authority to the Department of State. And the Department of State writes the regulations in such a manner that every Federal—not just Defense, but every Federal agency abroad is guided by the same regulations. We have no option in that, and it is because of the delegation of the authority in the law by the President to the Secretary of State.

Ms. OAKAR. So that is one of those regulations and it is—nonstatutory. No one dictates its presence—

Mr. COAKLEY. That is correct. But it is based on statutory authority in the case of the housing allowance in 5 USC 5923, which specifies that an agency may pay an allowance, and it is not mandatory that the allowance be paid, it may be paid.

Ms. OAKAR. But it is the administration that sets up the regulation.

Mr. COAKLEY. Yes.

Ms. OAKAR. And has the flexibility to set up the regulation, right?

Mr. COAKLEY. Yes.

Ms. OAKAR. OK. Dr. Stephens, are the standards for a local hire identical to the standards for a stateside hire?

Dr. STEPHENS. If they are employed as teachers rather than substitutes, yes.

Ms. OAKAR. They are the same. And the teachers return very often to the U.S. homes during the summer recess period, and is the transportation of our stateside hires provided for by the Government every year?

Dr. STEPHENS. In some instances, every year; in other instances, every two years. I would ask Mr. Venable to explain that.

Ms. OAKAR. Sure.

Mr. VENABLE. Yes, ma'am. It depends on the foreign area. Each foreign area is designated. In the case of teachers it is either a 2-year area or 1-year area. That is the best answer.

Ms. OAKAR. I want to know more about this subject and I think if I can, and I know the Department of Defense has expressed an interest that rather than push my bill, maybe it would be more prudent to see what really is taking place in the schools. I am going to

take you up on your offer, and I will get back to the Department of Defense, maybe you personally, Doctor, and see a little more closely for myself whether or not I am satisfied that we are making the employment environment and the quality of our education, everything we can.

I do not question the efforts at all, and I know you have many fine people who work for the Department of Defense who are very concerned with education. But I think you will agree it is a subject that Congress does not always—when talking about defense budgets—talk about very often, and I think it is important to do that.

So, I will be trying to gain more insight and knowledge so that I can act accordingly.

Dr. STEPHENS. We would be happy to supply you any information you want.

Ms. OAKAR. Thank you very much.

Dr. STEPHENS. Thank you.

Ms. OAKAR. I am going to ask our next witnesses to come up together. I will ask you both questions. Mr. Bruce Thale is the president of Panama Federation of Teachers of the American Federation of Teachers, and Dr. Robert W. McGurrin who is president of the Overseas Federation of Teachers of the American Federation of Teachers. We are delighted to have you both here, and thank you for coming, and we would also like to have the insight of someone who is very familiar to those of us on Capitol Hill and would you also introduce yourself for the record.

[The full statement of Dr. Stephens follows:]

Statement of Dr. Beth Stephens, Ph.D.

Director of Department of Defense Dependents Schools

Madame Chairwoman and Members of the Committee: I appreciate this opportunity to appear before you and to discuss the "Overseas Teachers Act of 1984."

We are justifiably proud of our overseas schools and of the quality education provided to the sons and daughters of our military members and civilian employees who serve this great nation far from its shores. We have an excellent program, and I am pleased to share with you at this time some of the recent honors bestowed upon our schools. In August 3 of our schools, Heidelberg High School, Rhein Main Middle School, and Frankfurt High School were among the 202 public schools of the United States identified by the Department of Education as being outstanding. Last month, the principals of these three schools were honored here in Washington by the President and by the Secretary of Education. It is significant, I believe, that these same 3 principals were among only 100 principals selected by Harvard University to attend the Harvard Principals' Center Institute in July. Even more recently, two of our principals, Frank Vahovich and James Lenz, were among only 55 principals of U.S. public schools honored by selection for the National Distinguished Principals Award. Academically, except for fourth grade math, DoDDS students consistently score above the national norm in all the basic skill areas. For the eighth consecutive year, DoDDS students last year averaged higher scores on the SAT than students nationwide.

The honors and recognition these schools and their principals have received are tributes to our fine administrators, teachers, support agencies, and overseas communities. All have worked together to achieve excellence in education. Team work characterizes so many successful programs within the Department of Defense. It proves the truth of the old adage that the whole is greater than the sum of its parts. Each part, each segment, each group is part of the whole. Each contributes to the mission of the Government, of the Defense Department, and of the individual programs within Defense. Because of this interrelationship, we can say to each group, to each occupation, to each profession, "without you, we would fail in our mission."

And so I say to our teachers, "without you, we would fail in our mission" of providing a community environment overseas in which families can stay together, work together, and know that their children are receiving a quality American education, one enhanced perhaps by the people, the culture, and the customs of the foreign country in which our people are serving.

In 1986, our overseas school system will celebrate its 40th anniversary. Although the precedent for overseas schools was established decades earlier, it was the aftermath of World War II that gave rise to the need for dependents schools in Europe and in the Far East. During many of those early years, the teachers were General Schedule employees. Then in 1956, representatives of the Departments of Defense, Army, Navy, and Air Force formed a committee to study the operating problems and cost of the

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schools in Europe. Their report contained 26 recommendations, many of which became the basis for Public Law 86-91, the "Defense Department Overseas Teachers' Pay and Personnel Practices Act," in 1959. The purpose of this act was to provide teachers with a personnel program similiar to that of school jurisdications in the United States as well as to provide them with the benefits enjoyed by other overseas Federal employees, without penalizing them for working a school year instead of a calendar year.

In other words, Public Law 86-91 was designed to provide teachers with a civil service program comparable to that provided other Federal employees, but tailored to the unique aspects of the teachers' shorter workday, workyear, and the classroom enviroment. It was not intended to create an elite corps. However, in the 25 years since Public Law 86-91 was enacted, civil service employment has changed, and today teachers do enjoy some advantages. For example, since teacher pay is tied to the pay of certain urban school jurisdictions in the United States, cost-of-living increases are not capped as they are for other civil service employees. Step increases come annually for up to 14 years, whereas General Schedule employees have 10 steps, some of which are at 2 and 3 year intervals. In fact, teachers under the General Schedule system enter the teaching profession at the GS-7 or 8 level, with pay from $1,900 to $4,200 less than DoDDS teachers, depending on their academic level. At the other end of the scale, the salary limit for a General Schedule teacher is almost $11,000 less than that of the DoDDS teachers.

We are opposed to the enactment of H.R. 6175, because it would create an elite teacher corps, with benefits and privileges extended to no other group of employees in the Federal Service, or to any teacher in the United States, as I will point out.

For example, under the Federal regulations implementing the Overseas Differentials and Allowances Act, benefits are provided to people hired in the United States for overseas duty as a recruitment and retention incentive. Persons who are already residing in the overseas area at the time of hire are not eligible for this incentive. H.R. 6175, however, would provide these allowances and differentials to teachers regardless of the point of hire. This provision would not apply to principals, to staff educators, to other civilians in the overseas communities these teachers serve. It would apply only to teachers. H.R. 6175 also would provide teachers, and only teachers, with a transportation agreement, even if the United States Government did not move the teacher overseas initially. Thus, it would apply to teachers who were hired while residing overseas. If this bill is enacted, teachers hired overseas would be provided benefits extended to no other Federal employee hired overseas. Further, enactment of this provision could destroy the effectiveness of our U.S. recruitment program and ultimately reduce the quality of teachers. Currently, the Office of Dependents Schools receives about 5,000 applications annually to fill around 600 jobs. Thus, we are able to choose the very best teachers for our overseas schools. But, if these recruitment incentives are provided to local hires, many applicants can be expected to go overseas on their own in order to pick and choose the locations where they want to live. There is no assurance, however, that this pool of job seekers at any given location would be among the best qualified if competing in the United States. Further, as it is unlikely that those seeking jobs would apply at undesirable locations, recruitment in the United States would be primarily for these less desirable areas. It would not take long before

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teachers in the United States would discover this, and our reservoir of highly qualified teachers would dwindle to those unable to find employment elsewhere.

Section 4 also would provide teachers with 1 year of civil service retirement credit even though they work less than 5 months (95 days) of a school year. Under the provisions of 5 USC 8332, credit is allowed for leaves of absence without pay which do not exceed 6 months in the aggregate in a calendar year. Additionally, the retroactive element of this provision, to December 31, 1959, would necessitate a recomputation of the retirement annuity and survivor annuity of every teacher who has retired or died in the last 25 years. It would require an adjustment in service computation dates for retirement purposes of every teacher who has ever been employed by the dependents schools since 1959. This would be a monumental task costing millions of dollars in administrative costs alone, and is without precedent in government.

LEAVE

Within the Federal Government, annual leave is provided for two general purposes. One is to allow an annual vacation period for rest and recreation. Since teachers now have some 8 or 10 weeks during the summer, a week or two during the winter and another in the spring for rest and recreation, it would hardly seem necessary to provide still another leave program for further rest and recreation. The second general purpose for annual leave is to provide periods of time off for personal and emergency purposes. This provision was incorporated into the leave program established for teachers by Public Law 87-91. Teacher leave may be used for emergencies as well as for sick leave purposes. In addition, up to 3 days of teacher leave may be used each year for personal purposes. In other words, teachers now enjoy the same benefits other Federal employees have under the Annual and Sick Leave Act.

H.R. 8175, however, would provide teachers with a separate annual leave program—3 more days a year which, unlike annual leave for General Schedule employees, could be accumulated without limitation! In addition, it would increase the current 10 days of teacher leave to 12 days. In other words, the bill would provide a 50-percent increase in leave days, which are in addition to the 175 non-work days and weekends teachers now have.

If leave for other Federal employees were to be increased by 50 percent, surely the work of the Federal Government would be slowed. Work would pile up on desks waiting for employees to return from leave. Children, however, cannot be piled on top of desks like so much paper, waiting for their teachers to return to the classroom. So we must hire substitute teachers, thus paying two people to do one job. In fact, the addition of just one extra day of leave each school year would cost about $1,016,842.00 in salaries alone. In addition to the unwarranted expense, it is not an educationally sound proposal. Excellence in education is not achieved by providing students with a series of substitute teachers. For this reason, schools attempt to keep teacher absences to a minimum. We do a disservice to the men and women in our armed forces and to our civilian component by encouraging the absence of teachers from the classroom.

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There are several other aspects of the proposed leave program which are equally disturbing. H.R. 6175 would, in addition to the 50-percent increase in leave, provide teachers with home leave. At present, teachers return to their U.S. homes during the summer recess period. No leave is required, since teachers are in a non-duty status during the summer. However, by providing coverage under the home leave provisions of 5 USC 6305, leave during the school year would be increased by another 5 days, for a total of a 100-percent increase in leave. A teacher taking full advantage of the leave this bill would provide would actually be at school 5 days less than the minimum time students are required to be in school. In addition, H.R. 6175 would allow male teachers to use teacher leave for paternity purposes. Within the Federal Service, sick leave may be used for the period of maternity confinement and recuperation. Any leave the mother may wish to take after recuperation is charged to annual leave or leave without pay. Fathers wishing leave at this time must use annual leave or leave without pay. It is difficult, therefore, to understand the logic of providing male teachers with the opportunity to use what is essentially leave for illness and emergencies for paternity purposes. Finally, H.R. 6175 would require management to grant an expense-paid yearlong sabbatical, at full pay, to every eligible teacher who met application requirements. While most school systems in the United States provide for some sort of a sabbatical program, approval certainly is not automatic upon application, nor are sabbaticals as generously funded as this bill would require.

STAFFING

Subsection 11 of Section 4, H.R. 6175, concerns transfers. Currently, transfers are made during the summer recess period when there is no disruption to the classroom. Under the proposed provisions, all eligible teachers would have to be considered for all vacancies for which they are qualified. As you know, a transfer does not fill a vacancy. It merely shifts the vacancy from one location to another location. Picture, if you will, the situation which would occur should a teacher resign early in the school year. Now, we would fill that vacancy with a locally available teacher. But, if we had to advertise the vacancy throughout the school system, consider the applications of all teachers who applied, then move the successful candidate from, perhaps, Japan to England, it would be months before the vacancy could be filled. Then the process would have to be repeated in order to fill the vacancy in Japan. Meanwhile, the students are without a permanent teacher, the educational environment suffers, and locally available dependents remain jobless, unless they happen to be better qualified than any DoDDS teacher who applies. Such a proposal is not only unnecessarily costly in dollars, but would be equally costly in terms of the disruption to the learning environment and continuity of the educational programs.

We note, too, that H.R. 6175 would provide the criteria for determining whether or not a teacher is qualified. Our schools are accredited by the North Central Association of Colleges and Schools. It is vitally important to youngsters entering college to have been graduated from an accredited high school. It is no less important to parents to know that their children are receiving their education from an accredited school and that the staff of that school meets the academic requirements of the North Central Association. Subsection 11 would destroy all of this by reducing the academic requirements to certification and experience. For example, a teacher who received a

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life certificate in science 30 years ago, but has never taught science and has never taken a science course since graduation, would become eligible to teach science under this provision. When you consider the strides we have made in this field in the last 30 years, who would want their children taught by a teacher who has not kept up with the subject for the past 3 decades? Since its inception, DoDDS teachers have met the qualification standards of the North Central Association. This is a basic requirement for the accreditation of our schools. Like most States, we specify courses or program requirements in order to assure that newly recruited teachers have the skills necessary to meet current trends in education and the needs of our program. If we are to continue to provide a quality education in accredited schools, we must continue to have the flexibility to prescribe the standards.

PAY

As I mentioned earlier, the salaries of Department of Defense teachers are currently above the salaries of their counterparts in the Federal Service who are paid at the GS-7 or 8 level. They are also paid more than the average teacher in the United States, since their salaries are based on only large, urban jurisdictions. Such jurisdictions normally pay more than smaller or rural jurisdictions. However, H.R. 6175 would increase their pay still further. Under the complex pay structure proposed, experience or length of service would be counted twice: first, in determining on which of the five levels the length of experience falls and, secondly, in determining the appropriate step within that level. In other words, a teacher with 10 years of DoDDS teaching experience would fall under level IV. If the teacher had no other experience, he or she would then be placed on the 10th step of level IV. If the teacher had 2 additional years of teaching in Loudoun County, the teacher would be placed at step 12 of level IV. Further, since the pay at each step of each level would be set at 10 percent greater than the pay of the same step at the next lower level, we would not only lose our comparability to school jurisdictions in the United States, but to meet our payroll for this provision, our budget would experience an immediate increase of some $6 million. To illustrate, a counselor with a Master's degree and 10 years of experience is presently paid $23,545. Under the proposed plan, the salary would leap to approximately $33,676. If you equate the school-year salary to a calendar-year salary, this is more than the representative rate of a GS-13! Since the bill would also classify GS-2, 3, and 4 teacher aides as teachers, we could end up paying GS-13 salaries to employees whose work is equivalent to the GS-2 level and provide these aides housing equal to that of lieutenant colonel.

There are many other aspects of the bill which are costly and found in neither public schools in the United States nor in the Federal Service. It would create issues rather than settle them. In conclusion, I repeat, we are opposed to this bill because it would have the effect of providing Department of Defense teachers with benefits provided to no other civilian employees of the Federal Government or teachers in the United States, of dramatically increasing the cost of the dependents schools' program, and of severely limiting management in its mission of providing a quality education to our children.

Thank you for the opportunity to express our concerns regarding this bill.

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STATEMENT OF GREG HUMPHREY, DIRECTOR OF LEGISLATION, AMERICAN FEDERATION OF TEACHERS, ACCOMPANIED BY BRUCE THALE, PRESIDENT, PANAMA FEDERATION OF TEACHERS, AMERICAN FEDERATION OF TEACHERS, AND ROBERT W. McGURRIN, PRESIDENT, OVERSEAS FEDERATION OF TEACHERS, AMERICAN FEDERATION OF TEACHERS

Mr. HUMPHREY. Thank you, Madam Chairman. I am Greg Humphrey. I am Director of Legislation for the American Federation of Teachers. And I just wanted to take a minute to inform the committee of four support for your bill and to thank you for what you have done here.

The AFT strongly supports this bill, as you will hear from the testimony of the two people who are representing our organization here. We look forward to working with you and other members of the committee to see that this bill becomes law in the next Congress, because there is a great need for the legislation that you have proposed here.

Thank you very much.

Ms. OAKAR. Well, we are very happy for the endorsement. Thank you very much, Greg.

Mr. Thale, as you may or may not know, we are trying to do something about housing allowances as well, and we are on the verge of passing it. I am going to have to defer to my staff in terms of where we are on that. I know we have it out of committee.

The legislation relative to housing allowances will be on the floor next Tuesday.

Mr. THALE. That sounds good.

Ms. OAKAR. We hope it will pass and see the same action on the Senate side.

So, you might want to go back to Panama on Tuesday after it is passed.

Bruce, you might want to start first.

STATEMENT OF BRUCE THALE, PRESIDENT, PANAMA FEDERATION OF TEACHERS, AMERICAN FEDERATION OF TEACHERS

Mr. THALE. Madam Chair, my name is Bruce Thale. I am the president of the Panama Canal Federation of Teachers. Before I start my testimony, I do want to address the housing issue just a little bit.

Next Monday is October 1, and our teachers will have been moved by that time. I understand there are 30 teacher families left to move this week, and they will have been moved by that time into some houses which from all indications now will be turned over to Panama on October 1.

So, in effect, our U.S. citizen teachers will be moved into houses controlled by the Republic of Panama.

I have made inquiries this morning as to what the rent and utilities might be for those quarters. I was told that we don't know what the Panamanian Government is going to charge those employees for rent and utilities.

And, so, I wish to publicly thank you for your support of H.R. 6101. I know that you have been shepherding that bill through the various committees over the last couple of weeks, and this is very

good news, indeed, that you will be voting on that bill next Tuesday. Of course, we know that the bill still has to go to the Senate, but hopefully the Senate will act very rapidly on the bill and we can expect some support from the bill in the very near future. I know that stumbling block is yet to come up.

Ms. OAKAR. Let me say, and I know it is not the primary reason for your being here, but in view of the fact that you represent that wonderful group of teachers, you ought to know this. You have absolutely no problem passing that bill out of this committee. In fact, we waived jurisdiction because we knew that our members support it.

But I have to say that we have mixed signals from the Department of Defense on this bill; sometimes we think they are for it, and other times we think they are against it. I am confident they will be for it, at least I hope they will be for it. I say to my friends here who are in the committee room, that if you can help us, this is a very small bill and it really is the only humane, decent thing to do. And I am hoping the Department of Defense will just give it the same zeal they sometimes give other issues.

Mr. THALE. Well, we thank you for your support because I know you have been working hard on that bill.

By the way, I saw in the Stars and Stripes that you are planning to tour a couple of the European regions. Might I extend an invitation to you to come to Panama and we will be glad to have you see first-hand some of the problems that we are talking about in the region, and I think it would be a very educational tour for you to be down there. I know we can talk about it here, but you are really going to have to see it.

Ms. OAKAR. Sure.

Mr. THALE. And we will be glad to invite you to come down there.

Ms. OAKAR. Thank you very much. I appreciate it.

Mr. THALE. I am speaking this afternoon in support of H.R. 6175. In May of this year the North Central Accrediting Association, of which DODDS is a member, raised its criteria for the length of school day. In doing so, the overseas teachers are working an additional 3½ weeks per year without additional compensation.

In Panama, our elementary teachers work without a duty-free lunch period, or a 40-minute preparation period. H.R. 6175 addresses these needs in a fair and equitable manner.

In addition to lengthening the school day, there are also strong indications that the school year may also be lengthened. DODDS' 190-day school year is the longest school year of anywhere in the United States. School started the week of August 20 and will not get out until June 14. The summer recess is very short now, and we are threatened with it becoming even shorter. This means that it is impossible for teachers to come to the United States for training during the summer.

Teachers are going to have to have sabbatical leave to keep abreast of their field. Sabattical leave is very costly to the teacher. Families have to be dislocated and moved back to the States, or if they choose to remain overseas, then two separate households have to be maintained.

This bill, while limiting the sabbatical leave to once every 7 years, would at least compensate the teachers for taking the initiative to keep their training up-to-date. Sabbatical leave is greatly needed if we are going to continue to offer the best possible education for our dependents overseas.

You are aware of our problems in Panama concerning teacher housing. As soon as the suggested solution is presented, we immediately run into the problem of eligibility—are you stateside hired or local hired or transfer of function or nontransfer of function or a myriad of other possible categories. H.R. 6175 would eliminate many of these problems by extending benefits to local hires after 1 year, and will provide teacher housing assignments on the basis of military grade equivalency and reimburse teachers for transportation of household goods.

DODDS Panama is having difficulty recruiting teachers. With this bill, medical and dental benefits will be spelled out, as well as class size, per diem rate while in transit, and priority travel in case of medical emergencies.

Travel is one of the benefits of teaching overseas. If teachers knew that they could apply for any vacancy in DODDS anywhere in the world, they would be more inclined to teach in an area that is not so desirable with the hope of applying to another more desirable region.

Each year current and prospective teachers in DODDS lose money due to late arrival on post due to delays in processing by DODDS. We support the full salary protection clause in this bill.

Education reform is a topic of conversation throughout the United States. We need to pay good teachers to stay in the classroom. Many States are already adopting career ladder pay systems to solve this problem. H.R. 6175 would provide DODDS with the means to keep teachers in the classroom overseas by providing for a career ladder pay system.

We heard a few moments ago mention of some attempts at career ladder preparation. We heard that in Panama there is a merit pay Master Teacher Pilot Program. That program currently is in operation. Out of our 450 teachers, not one of those teachers became master teachers. The people who became master teachers were the specialists in readings, the specialist in this field, and art, and on and on and on. And the only teacher in the classroom that became anything as part of this program at all only made the first ladder, which is called the senior teacher.

So, I would submit to you that the pilot program in Panama is not what is being presented here this morning. This pilot program seems to be a reward for the specialist and not for keeping teachers in the classroom.

We also heard some testimony about the 190-schoolday school year. Again, and I would like to emphasize that that is the longest school year of anywhere else in the United States. In fact, we tried to get some answers as to where this 190-day school year came from and also where did this lengthening of the schoolday come from, and we find that DODDS has no data to back up the increasing our schoolday this year by 30 minutes was based upon anything in fact; that it was just an administrative decision to increase the thing 30 minutes a day.

It goes back to what we heard earlier about the professional day being a 24-hour day.

Again, thank you very much for allowing me to testify this afternoon.

Ms. OAKAR. Thank you, very much for testifying and giving us your viewpoint of the pilot project as well.

I do want to ask you, as long as you are here, more about housing. What will the teachers do if the Senate doesn't act on the housing legislation? They have no idea what it is going to cost them.

Mr. THALE. Based on the best information that I have this afternoon, the teachers have been moved into houses that are going to revert to Panama next Monday. They do not know what the rent is going to be; they do not know what the electricity rates are going to be. And, so, if the electricity and rental rates become absurdantly high, we are going to find that the teachers will simply be priced out of the market and they are going to have to leave.

And, so, we would expect that unless something happens very soon that there is going to be an exodus from the region.

We also hear from time to time about a possible lease back, of whether or not the lease back is going through or whether it is not going to go through. Right this afternoon the lease back still is not going to go through.

But let me address the lease back issue just a moment if I could. Our teachers have been moving into houses that were supposed to be part of the lease back. Now maybe they will revert to Panama and they will be Panamanian houses.

I brought some photographs for you this afternoon. This is the unretouched photograph of the house, the apartment of which a teacher at the Los Rios Elementary School was moved into just last week. This house is at 5727C Diablo in Balboa. It is either going to be part of the lease back or else it is going to be a Panamanian household in just a few days.

This picture is a picture of Ms. Ellen Friend's bedroom. I want you to notice the open construction which makes it difficult to air condition, but especially notice the termite trails that go up through the side of the wall.

We have heard testimony before another committee of the House of Representatives that $1½ million had been spent renovating these quarters for the teachers, and this house that you are looking at has passed not one inspection, it's passed two inspections. It passed the inspection of the Panama Canal Commission; they rated it topnotch, ready to move into, and it also passed the instruction or, the inspection of the U.S. Army Housing Office under the direction of Donald Harris, the Directorate of Engineering and Housing.

Taking a little tour through her house, this is her only kitchen cabinet. And I would like you to take a look at that. Here is her first-rate Army stove. This is a picture of the front entrance going into her house. The ceilings in her apartment, and while you are looking at the stove just imagine turning around from the stove and looking at the wall on the opposite side of the kitchen. And this is the wall on the opposite side of the kitchen that is right across from that stove that you are looking at there.

Ms. OAKAR. And they rate this what?

Mr. THALE. This has been rated by the Directorate of Housing, Col. Donald Harris, as being officer's quarters. I'll submit those for the record. They are yours.

Ms. OAKAR. All right. Are these supposed to be officers' quarters?

Mr. THALE. Those are officers' quarters according to our directorate. This is supposed to be clean, sanitary, standard housing that they are moving into.

Ms. OAKAR. Well, obviously, it is very substandard.

Mr. THALE. Very substandard.

Ms. OAKAR. Let me ask you about that. What is the median salary for your teachers?

Mr. THALE. Median salary I believe came out in some previous testimony as somewhere around $27,000 to $28,000 per year. The average salary reported as being a little higher. Our average tend to be about $29,000 per year when you put in all the possible combinations.

Ms. OAKAR. What would be the starting salary for somebody there?

Mr. THALE. Starting salary was $14,000 some odd.

Ms. OAKAR. Is that with the differential, the 15 percent?

Mr. THALE. Then you would add on the differential there, but not everyone gets the differential because we are not all under 6175. And, so, spouses and people who have been locally hired do not get the differential.

Ms. OAKAR. What would be the cost of good housing there?

Mr. THALE. Cost of good housing in Panama at the current time is estimated to be about $14,000 to $16,000 per year, and that is based on State Department estimations.

Ms. OAKAR. So, one could presume that a starting teacher would virtually spend all of his or her money on housing.

Mr. THALE. Yes; without the Senate action on 6101, a beginning teacher could not afford to live in Panama.

Ms. OAKAR. Can you explain why a sabbatical policy would benefit not only teachers but students. I would imagine teaching in Panama would be interesting, but I would imagine it is also somewhat of a hardship to be in places like Panama.

Mr. THALE. Well, the teachers need to be kept up-to-date in their field. In Panama, we have an Army library at Ft. Clayton, and a partial use library in Balboa which is limited to only Commission employees since the treaty.

So, we do not have a great deal of information for keeping abreast of the fields. We need to have opportunities to come back to the States to take courses so that we can advance and so that our students can benefit through having teachers who are being kept up-to-date.

In Panama, the sabbatical leave system as it is currently in use pays one-half of the base pay to a teacher that is on sabbatical leave. Currently, there are no teachers taking advantage of that situation of half pay. The reason that they are not taking advantage of that half pay is that in order to take advantage of the sabbatical leave they have to move their families back to the States when they take sabbatical leave, or at least put their furniture in storage in New Orleans, or split up their family so that half the family stays in Panama while they go to school in the States. And

it is a tremendous cost. And, so, currently teachers are not applying for sabbatical leave because of a quirk in the housing requirement. We cannot maintain a house in Panama and be in the States. So, we lose the house which means that, of course, we would have to store our furniture.

Ms. OAKAR. Do you agree with the provision that we supplied in the bill?

Mr. THALE. I would certainly support that provision that you have supplied in the bill. I think it would go a long way in alleviating some of the tremendous costs of maintaining two households.

Ms. OAKAR. I was able to get a sabbatical when I was teaching, and it was not only stimulating for me, but I really think I added a great deal to the institution because of the sabbatical. My sabbatical was on how we would extend the college to groups that were not taking advantage of the institution—the older people and women in this case because it was a community college setting. The year I invested and the college invested in me proved mutually beneficial because now they have a policy of extending the college and they have a marvelous program. We gave them some of the data they needed to show that this was important. I was able to study a little bit more about who goes to community colleges.

Sabbaticals can, just like anything else, really renew your own quest for excellence as an educator. I know what it meant to me in the institution where I worked years ago.

Mr. THALE. And I do not find the bill to be extravagant. You do have to be on the job for 7 years before you are eligible.

Ms. OAKAR. Yes.

Mr. THALE. So it is not a matter of coming to the States every year. And, again, with the increase in school day, you can hardly take advantage of courses during the school year. And if we do come up with an increase in the school year, you know, we just cannot get back to take courses.

Ms. OAKAR. Well, that is right. Do they have a University of Panama there?

Mr. THALE. There is a University of Panama.

Ms. OAKAR. You probably could teach some of the courses I would imagine.

Mr. THALE. It is an excellent school but, of course, it's basic language is Spanish. And for some of our teachers who do not speak Spanish, this would be an impossible situation.

Ms. OAKAR. Well, thank you very much. I am glad you are here and it is a pleasure to have you.

Dr. McGurrin, would you like to proceed?

STATEMENT OF ROBERT W. MCGURRIN, PRESIDENT, OVERSEAS FEDERATION OF TEACHERS, AMERICAN FEDERATION OF TEACHERS

Dr. MCGURRIN. Yes; thank you very much. Madam Chairwoman and members of the committee, my name is Dr. Robert W. McGurrin. I am presently a full-time elementary school educator located at RAF Upper Heyford, United Kingdom.

Over the past 23 years with the Department of Defense Dependents Schools, I have served as a secondary school teacher, a second-

ary school counselor, an elementary school teacher, an elementary school counselor, and also as an administrator in the system. I have worked the full spectrum from preschool children, kindergarten, high school, and adult education.

In addition to my teaching duties, I am also president of the Overseas Federation of Teachers, an affiliate of the American Federation of Teachers.

Our organization has recently concluded a collective bargaining agreement with the Department of Defense Dependent Schools in the Mediterranean area, which encompasses American schools in Bahrain, Greece, Italy, Portugal (the Azores), Spain and Turkey, all volatile political and military areas. OFT is recognized by the Department of Defense, albeit reluctantly, as the exclusive representative for all teachers in this region. OFT also serves several hundreds of members-at-large scattered throughout the Atlantic, Pacific and Germany regions.

It is on behalf of these 1,800 teachers that I offer our gratitude and thanks to the committee for inviting us to participate in these important hearings.

In my years of experience overseas, I have found those teachers of my acquaintance to be among the finest educators to be had on either side of the Atlantic.

The high caliber of instruction found in the overseas schools has been consistently emphasized over the years by various congressional investigating commitees and most recently by the $1 million comprehensive study of the DODDS schools done by the Advance Technology Corp. of Reston, VA, in 1982. This was a congressionally mandated study.

At this point I would like to ask that that part of this study done by ADTECH be inserted into the record. It is just that part that supports and corroborates my testimony.

Ms. OAKAR. Do you have it here?

Dr. MCGURRIN. I have it here.[1]

Our prime mission as overseas teachers is to provide a quality education for the dependents of military and Department of Defense civilian personnel stationed in foreign countries.

Our schools, elementary as well as secondary, must pass rigorous North Central Accreditation standards. In fact, the school I am at now will be undergoing an accreditation this year. Every 5 years this is done.

The Scholastic Aptitude Tests of the College Entrance Examination Board for our high school students have been consistently above the national stateside norms as have been the achievement scores of our elementary students on the Comprehensive Tests of Basic Skills and the Systemwide Testing Program that has been instituted.

I just have some important points here I would like to bring out.

Ms. OAKAR. All right, fine.

Dr. MCGURRIN. I have heard that someone is doing something right. That someone is the classroom teacher. Military community support and respect for overseas teachers is high as has been re-

[1] The reprint referred to was retained in the subcommittee's record.

ported in this study. I offer this again by showing that the average overseas teacher is head and shoulders above his or her stateside counterpart in experience, education, and overall competence in the classroom.

This cadre of conscientious career professional employees deserves to be compensated accordingly. One other important facet that has not been mentioned, and this should not be overlooked, is the part that a quality overseas school system plays in helping to attract, recruit, and retain an All-Volunteer Military Force. A quality school system engenders troop morale and esprit de corps.

As a former Marine veteran of the Korean war era, I can state first hand the importance of military readiness and force effectiveness.

The U.S. Air Force personnel where I work are on the front line in the case of any aggression. And these men and women are in a constant state of readiness and alert. The stress factor on these people is very high, and they do not need additional pressures and problems associated with the schooling of their children.

Ms. OAKAR. I think that is an important factor.

Dr. MCGURRIN. I agree. Good overseas schools, good overseas teachers enhance our Nation's defense preparations and effectiveness.

Bearing this in mind, the Overseas Federation of Teachers has the following comments and recommendations to make on H.R. 6175, the Overseas Teachers Act of 1984.

SECTION 2, TEACHER RECRUITMENT

OFT supports and endorses the provision that would provide the same benefits for teachers hired overseas as those offered stateside recruits after the completion of 1 full year of service in a teaching position.

We also support the contingencies (2), (A), (B), (C), and (D) listed and applicable to military spouses. We would further recommend however, that military spouses with a 3 or more years overseas assignment be granted stateside reemployment leave after 2 full school years of service if returning for a full third year of teaching. The teacher would be liable to the U.S. Government for all expenses incurred if the teacher fails to uphold his or her commitment to serve in a teaching position under such an agreement except for good cause as determined by the Director.

SECTION 3, TEACHERS' LEAVE PROGRAM

OFT supports and endorses this section with the recommendation that so called "any purpose leave" be increased to 5 days with pay after 10 years of teaching service overseas.

SABBATICAL LEAVE

OFT supports and endorses this section with the recommendation that no geographical limitations be imposed, that is, that study or educational travel may be pursued outside the continental United States.

OFT believes that a teacher with a family could not subsist in the United States on the 50 percent salary sabbatical now in effect. The current system only encourages de facto discrimination against married teachers.

SECTION 4, COMPENSATION AND CONDITIONS OF EMPLOYMENT

OFT strongly supports this section In light of the current national political rhetoric on improving educational standards, improving teachers' salaries, and enticing top college graduates into teaching, OFT sees this section as the most crucial and important feature of the bill.

The five salary levels, class I through V, have been in place for many years mainly as window dressing for the uninitiated and those naive to the machinations of DODDS salary schedules.

Let it be known that there are no DODDS classroom teachers on any level beyond class I. A sprinkling of school-level specialists, that is, psychologists, social workers, counselors, and some administrators are found at the class II and class III levels. A two-tier system operates however in the counseling area in which two people equally qualified, equally experienced are working side-by-side on different salary levels, class I and II. OFT views this as an obviously inequitable situation and recommends that all class I counselors be upgraded through legislative means to the same level as their class II colleagues. This bill would rectify this disparate situation.

The class IV and class V levels remain "pie-in-the-sky" for DODDS classroom teachers. This bill would give teachers a fair share of the pie.

OFT also recommends the payment of premium pay similar to other Federal employees for those teachers who, because of local foreign customs, must teach on Saturdays, Sundays, or American holidays.

In addition, OFT supports standby duty pay for dormitory counselors required to be on call at the duty site beyond the paid duty hours. Currently there is no compensation for this standby time spent at job site since it is not considered duty time.

It is time to put one's financial resources where one's rhetoric emanates.

SPACE AVAILABLE TRAVEL

OFT recommends adding to this section. "Teachers will be authorized use of military space available under normal circumstances (nonemergency) when traveling to and from their duty station."

MEDICAL AND DENTAL BENEFITS

OFT supports and endorses this section but advocates the following change in wording (lines 16–18 p. 15(5)) "The medical and dental benefits and the inpatient and outpatient charges for such care shall be equivalent to those provided to military dependents."

TRANSPORTATION OF HOUSEHOLD GOODS

OFT recommends that line 4, p. 16 read after ". . . prescribed by regulation" add "except if that limitation exceeds that of 5724(a) U.S.C. title 5."

DUTY DAY FOR TEACHERS

OFT recommends that lines 23-24, p. 16 be amended to read, "The duty day for a teacher shall not exceed the average duty day of those school jurisdictions having an average daily attendance (ADA) of 100,000 or more students. The teacher's duty day will commence not more than 10 minutes prior to the teacher's instructional day nor end more than 30 minutes after the teacher's instructional day."

TEACHING VACANCIES

OFT recommends the following additions to line 11, p. 17, "And to ensure such a procedure, the Department of Defense will provide funds for the voluntary transfer of a minimum of 25 percent of the teaching force each school year."

ENTRY INTO COMPETITIVE SERVICE

OFT supports and endorses this section.

We would further like to recommend that the following phrase be inserted into the bill at some point. "Prior benefits in existence at the time of passage of this bill will not be altered."

SUMMARY

In summary, the Overseas Federation of Teachers strongly supports and endorses H.R. 6175. We are pleased to note that OFT's opposition to section 1, H.R. 4393, Overseas Teachers Act of 1981 which would have placed a 1 year limit on military spouse local hires has been dropped from the present bill.

Over the past 20 years these hearings have brought about positive changes which have enhanced the working conditions of overseas teachers and the overall educational program. We thank those who have been instrumental in effecting these changes and look forward to their continued support.

Passage of this legislation, H.R. 6175 would be a tremendous boost for the morale of overseas teachers and their faith in the system. In conclusion, we are firmly convinced that the secondary benefits to be derived would be an improvement in military morale, hence, improved combat preparedness and force effectiveness.

Thank you.

Ms. OAKAR. Thank you very much, Doctor.

Can you explain how you feel about the career ladder for DODDS teachers? Now, you have been a career teacher for many, many years, and certainly an authority on this issue.

Dr. MCGURRIN. Well, I can tell you the career ladder has been in effect for the number of years that I have been in this system. However, the top four rungs for classroom teachers have been

sawn off. They can go no further. Let it be known, there are no classroom teachers beyond the class I ladder.

We strongly support this as a means of retaining excellent teachers without having them be coopeted into management positions.

Ms. OAKAR. Can you comment on whether or not there is an adequate supply of substitute teachers to staff the schools in your region?

Dr. MCGURRIN. In some areas it is adequate; in others, it is critical, yes. And it varies on the location and the number of local dependent wives who are qualified to do substitute teaching, or the number that have been hired as full-time teachers. So, it depends on your locality. It is hard for me to pinpoint.

Ms. OAKAR. And, to your knowledge, do you agree that there is a real problem that teachers face if they desire to transfer?

Dr. MCGURRIN. There is a problem, and that problem is generated by management. They refuse to release the vacancies, known vacancies at the end of each year. They withhold these vacancies from the transfer program, and then come the school year, they are running around looking for people to fill classrooms. That is where the crux of the problem is.

Ms. OAKAR. What is the motivation of the withholding?

Dr. MCGURRIN. They probably feel that they will save some money, they will not have to transfer some teacher who has been in Iceland for 5 years because it costs them a little bit of money to transfer a career teacher.

Ms. OAKAR. Well, does anyone have any other comments that you would like to make to the committee.

Mr. THALE. On the transfer system, that is exactly what is happening is that they are not announcing the worldwide vacancies and so teachers cannot put in for them because they don't know that they exist.

Ms. OAKAR. So, the new person has a better chance at applying for that vacancy than someone who is a career employee.

Mr. THALE. True.

Ms. OAKAR. I always thought tenure meant a little bit in this profession, but I guess in this case it is just the opposite, the antithesis of what you might expect. I see, go ahead.

Mr. THALE. One of the concerns was, of course, the cost of the bill, various aspects of it. And we were talking a little bit about the local hires and the fact that they are not receiving benefits, transportation rights and so on.

We have an interesting situation that does occur. In Panama, we have a lot of spouses that work—whose husband or wife works for the Panama Canal Commission, and so we are in an area where there are a lot of highly qualified people who could be teachers. In fact, they are teachers, and they are local hire because their husband or wife went to Panama to work for the Commission. And then as a result of them being there, they later on became teachers.

We have a situation where if you have a real good local hire teacher that the region wants to retain, that teacher is being sent back to the United States with a partial shipment of furniture, locating somewhere in the United States, and then being rehired back in the Panamanian region at a cost of probably $20,000 to

move that person out of Panama, to the States, and put them back in for the purpose of giving them the local hire benefits that your bill would give them automatically.

Ms. OAKAR. So, to get around that regulation, that makes no sense.

Mr. THALE. Right. And then they are talking about saving money; they are spending $20,000 to do what your bill would do automatically.

Ms. OAKAR. Well, that is interesting. [Laughter.]

I do not know how to even comment on it, because what I am afraid of is that now because you made that public, they will even stop that, but I hope they do not do that. Frankly, I hope they just change the regulation. We would not even need to have that provision if they just had some sensible regulations.

We just passed a disability bill the other day to make sure that these unfair regulations in Social Security could not go through. It is just astounding how we have to waste our time, in a sense, creating another layer of bureaucracy when, in fact, if somebody was just a little more sensible in drawing up things, we would not have to do that.

I really appreciate the time you took to come here, because I know it was a sacrifice. And, obviously, you represent your groups very, very well and we are very grateful to have all three of you here. Of course, Greg is located in the States so we know him very well and are happy to meet you as well.

Mr. THALE. Thank you.

Dr. MCGURRIN. Thank you.

Ms. OAKAR. Thank you very much.

Our next witness is Ms. Carolyn Becraft, director of the National Information Center on Women and the Military, Women's Equity Action League and, of course, WEAL is one of the finest organizations. We are happy to have you here, Carolyn.

STATEMENT OF CAROLYN BECRAFT, DIRECTOR, NATIONAL INFORMATION CENTER ON WOMEN AND THE MILITARY, WOMEN'S EQUITY ACTION LEAGUE

Ms. BECRAFT. Thank you very much, Madam Chair for this opportunity to testify on the Overseas Teachers Act of 1984.

The Women's Equity Action League is a national, nonprofit membership organization specializing in economic issues for women. I am the director of WEAL's Information Center on Women and the Military, a special project which focuses on economic and legal rights of uniformed service women and women who are spouses of military personnel.

I am also an Army spouse. My eldest son, Peter, attended schools in Baumholder and Bad Kreuznach, Germany. I also served on the PTA as a vice president in charge of programs in Bad Kreuznach, Germany.

The Women's Equity Action League strongly shares the Chair's expressed wish that we guarantee "the finest possible education for the children of the members of our Armed Services and civilian employees serving abroad."

WEAL generally supports H.R. 6175 in its attempt to standardize the benefit, pay and leave policies for teachers in overseas dependent schools. In particular, we are pleased that the bill addresses the status of a military spouse who may lose her benefits because of divorce or death of the service member, but who should be entitled to similar benefits as a teacher.

However, we wish to raise two areas where military spouses who are qualified teachers may still encounter difficulty.

First, section (e)(11) of the bill requires that teachers be able to apply for any vacancy within the system, and that when more than one qualified teacher applies for that vacancy, selection shall be determined by equitable means.

The Chair in previous statements has indicated that the purpose of this section is to encourage retention of teachers by facilitating transfer of these teachers who are assigned to less desirable posts, and there has been much lively discussion about this today.

I would like to point out some things.

First of all, DODDS has no data indicating a problem with retention of teachers. DODDS already has a policy in place to allow teachers in their system to transfer. And it is interesting as I was sitting in the recess, a woman in the audience who is a military spouse met another teacher from an area and they were talking about where is so and so, and where is so and so. And the DODDS teacher replied that oh, she has transferred here and, oh, she has transferred there. It is possible to transfer within the system, although I know it is not always easy; but it is possible.

But I think even more importantly, as a person who has lived in Army communities for 18 years, I can——

Ms. OAKAR. Well, were those people transferred against their wishes or voluntarily transferred?

Ms. BECRAFT. My understanding is that they were voluntarily transferred; that they transferred within the system.

Ms. OAKAR. Sure.

Ms. BECRAFT. I am not from DODDS. However, when I lived in Germany there were a lot of people that transferred. I think it is more difficult to transfer from the Pacific to the Atlantic, but I think it is easier to transfer within the Atlantic or Pacific.

But back to what is a standard definition of "less desirable" post. I have lived in Army communities for 18 years and I can assure you that there is no standard definition of a "less desirable" post. What may be less desirable place to one person is someone elses idea of a perfect place to live.

More importantly, the bill does not make clear what equitable means would be used to determine which qualified applicant would be appointed. However, the provision would appear to be directed at eliminating any preference for the local military spouse over an applicant from another school. There has also been much lively discussion about this today.

We do not believe that there is any conflict between a preference for hiring equally qualified, locally-based military spouses over teachers from other areas, and providing the best quality education for the children in the DODDS schools. It is a grave mistake to assume that military spouses are being appointed without being fully qualified, and Dr. Stephens attested to that.

Additionally, preferring the spouse who is already on location serves some very important policy interests. One is obviously cost. But another is even more significant—that is, providing professional employment opportunities for qualified military spouses. This is an equal employment opportunity issue for women and a retention issue for the services.

Such opportunities are far more than a "boon" to service families—they are economic and professional necessities for military wives who are making great sacrifices by following their husbands to new military assignments. Placing obstacles in the way of such employment for these women ill-serves the Nation's interest in retaining its service members.

There is another serious obstacle preventing military wives from such employment—one which we hope the Chair will consider addressing through an amendment to this bill.

At this time, military spouses and spouses of Federal employees cannot apply for or receive a contract for teaching positions prior to their arrival overseas. Being forced to wait to apply for a teaching position until after their arrival in actuality means that they are precluded from consideration for at least 1 year.

An added difficulty is that in some locations principals refuse to hire military spouses so that they can assure a large pool of substitute teachers. There has also been much discussion about that today.

Last, I would like to raise an issue relating to DODDS schools which have been simmering for several years. As the Chair knows, in 1972 Congress passed comprehensive legislation designed to attack serious problems of sex discrimination in our educational system, and I know you are very, very interested in that.

Part of that package of legislation was title IX, which has become the subject of great debate now raging on the other side of the Hill. At WEAL, we have great confidence, at least we hope, that the comprehensive prohibitions against sex discrimination will be the law again very soon. But these prohibitions have not, so far, touched the Department of Defense Dependents Schools.

In the past, the Department of Defense has taken the position that DODDS schools are federally operated as opposed to federally assisted, and thus that title IX would not apply to these schools. This analysis would mean that students would be protected only to the extent that the Constitution prohibits discrimination on the basis of sex, and that no administrative agency would have the authority to investigate or resolve claims of bias.

Female teachers have the additional protection of title VII of the Civil Rights Act of 1964. But with the cumbersome enforcement procedures now in place, there is no option for an administrative remedy.

Furthermore, since title IX has not been viewed as operative, the DODDS schools simply have not undergone the self and public scrutiny that other public schools have with respect to the eradication of discrimination.

As a parent of a child who attended DODDS schools, I can tell you that these school systems are no more free of bias than any others. In fact, the reality of limited resources and geographic isolation, as well as the fact that military parents have no real voice

in the formulation of school policy that governs DODDS, further exacerbates these problems.

Although this issue may be beyond the authority of this subcommittee to address in total, I would like to ask that the Chair consider inquiring as to the status of female employees and students in DODDS schools. Perhaps you would consider taking some joint action with the Armed Services and the Education and Labor Committees to spur the Department of Defense to issue nondiscrimination policies for these schools.

Thank you, Madam Chair.

Ms. OAKAR. Thank you. I found your testimony very informative because I did not realize that DOD schools thought that they were not covered by title IX. That seems really absurd to me.

Ms. BECRAFT. It seems very absurd to me, Madam Chair.

Ms. OAKAR. I did not agree with the Supreme Court decision, but at least they had an argument that really related to Federal funds. And if somebody can convince me that we do not really relate Federal funds to military schools, then, fine; I will not have to vote for the Department of Defense budget anymore and we will not have to worry about that portion of it. I mean I never heard of such abuse of the English language. It is like double speak in 1984 all over again.

Ms. BECRAFT. It certainly is.

Ms. OAKAR. I want to make clear, I think the military schools, the overseas schools are covered by title IX and I think there is some abuse of the law if they do not think they are.

Ms. BECRAFT. In fact, I called the Department of Defense, I called DODDS schools and asked, "Are you covered by title IX?" They responded, "No, we are covered by title VII."

So then I asked a further question: If a female faculty member or if a parent of a girl had an aggrievance that they wanted to address, what congressional committee has oversight for such an event. And the Department of Defense DODDS school said, "Gee, I don't know. Why don't you call the Government Operations Subcommittee."

So, I called Government Operations, and I asked the same question. "Gee, I don't know. Why don't you call Armed Services."

And I called Armed Services and they said, "Gosh, I don't know. I don't think it is we. Why don't you call Education and Labor." Who does?

Ms. OAKAR. Well, that point is well made. And I am aware of your concerns about the employment opportunities for military spouses and I will certainly take a look at that.

If you could give me more details in writing on that, I would be happy.

Ms. BECRAFT. I would be glad to because it is a critical issue and it is very difficult, of course, for the mobile spouse. You have the same in corporations. But the military spouse, receives added discrimination. They are discriminated within the military community; they are discriminated in the communities in which the bases are located; they have a very difficult time finding employment, and it is a very critical issue.

Ms. OAKAR. So, you are not saying they should be given preferential treatment, but you are saying if they are qualified to be educa-

tors, they ought to be able to have the same opportunities to apply for the positions as anybody else, right?

Ms. BECRAFT. Yes, that's right. But, of course, they are precluded from applying for DODDS positions in the United States. So, I fully support the local hire provisions that are implemented overseas, and they are basically to provide employment opportunities for military spouses who can't get into the Civil Service System, who can't get a job, a DODDS job before they come.

So, I fully support the rationale of the local hire program over there.

Ms. OAKAR. I see, very good. Thank you very much, Carolyn. Fine testimony. And, of course, your firsthand experience I think was very important.

Ms. BECRAFT. Thank you, I appreciate that.

Ms. OAKAR. Our last witness is Mr. Jack Rollins who is the president of the Overseas Education Association of NEA.

STATEMENT OF JACK ROLLINS, PRESIDENT, OVERSEAS EDUCATION ASSOCIATION, NATIONAL EDUCATION ASSOCIATION

Mr. ROLLINS. Thank you.

Madam Chairperson and members of the Subcommittee on Compensation and Employee Benefits of the Committee on Post Office and Civil Service, I am Jack Rollins, president of the Overseas Education Association, which represents approximately 6,000 teachers in three regions administered by DODDS. I am accompanied by Mr. Ron Austin, general counsel for OEA.

Due to the comprehensive nature of this legislation, obviously I don't have time to address all of the concerns in there, but it does address many complex areas that are expressed repeatedly by teachers in the DODDS system.

Public Law 86-91 was adopted in 1959, with subsequent amendments added in 1961 and 1966. The purpose of the initial legislation was to establish an employment system similar to education standards in the United States. Since that time, changes in educational requirements and living conditions overseas require consideration and enactment of the changes proposed under H.R. 6175.

The Department of Defense Dependents Schools came into existence on July 1, 1979, as required by Public Law 95-561, entitled "Education Amendments of 1978" Act.

Prior to the passage of this legislation, the overseas school system existed only on a temporary basis, reinstituted each year through budget appropriations by the Department of Defense and its military components.

Initially, in 1946, schools were set up on military installations, where needed, staffed, and funded by each respective military command having jurisdiction over the site where the schools were located.

As a result, no two schools were necessarily alike in curriculum programs, staff, and logistical support. This situation existed until 1967 when the DOD consolidated the operations of schools under regional commands with the Department of the Army assuming jurisdiction over schools in the European region, the Department of

the Navy over the Atlantic region, and the Department of the Air Force over the Pacific region.

This consolidation was an attempt to unify administrative responsibilities and give credence to an educational system needing accreditation recognition. Despite the attempt, however, problems of uniformity existed among the regions. Therefore, further consolidation took place in 1976 when all the military schools overseas were placed under the Office of Dependents Schools as a field activity under the Office of the Secretary of Defense, separate from the military commands and located in Alexandria, VA.

Public Law 95-561 brings us to the present, with no changes made in the administration of the DODDS system, but a significant change made in the budgeting process. For the first time, the DODDS budget was recognized as appropriations separate from the military budgets.

Throughout this period of development—1946 to the present—the problems with curriculum, staff needs and logistical support continued and remains to be a concern of Congress, the Department of Defense, DODDS, and the Overseas Education Association and their goal of quality education in the overseas school system.

There is no question that everyone wants quality education for American school children overseas. Today I focus on one aspect of quality education—the need to attract, retain and motivate outstanding teachers. That brings me to the need for the legislation proposed in H.R. 6175.

This legislation addresses the needs of teachers—needs including staffing at the school level; compensation; movement in the system; equal benefits for career teachers; leave, sabbatical leave; a defined work day and work year; level of medical care; household goods; a retirement year; overseas housing and class size.

When addressing the different provisions in this legislation we offer the following support to Congresswoman Oakar's bill

The first provision is on equal benefits for equal employment. Until recently, DODDS has faced annual recruitment problems is recruiting teachers to work and live overseas. Stateside positions were more abundant than qualified teachers and living conditions overseas were difficult. As incentives, stateside teachers were offered mobility (transfer guarantees out of certain hardship areas after 1 year); differential compensation for working in hardship areas; cost-of-living allowances to offset adjustments in living costs overseas versus stateside; living quarters allowances [LQA] or free housing to compensate for selling their property stateside; and housing overseas comparable to living conditions in the United States. These benefits were extended to all teachers regardless of where recruited, stateside or overseas. Once recruited, the benefits remained for retention purposes.

During the 1970's three important changes came about concerning these benefits and incentives. First, the number of school age children in the United States declined resulting in lower enrollment in schools which, in turn, resulted in a surplus number of teachers available for teaching overseas.

The second important change was the decline of American economic influence worldwide, accompanied by an increase in the standard of living of other countries, particularly the industrial na-

tions were DODDS are located. This resulted in an upsurge of living costs related to living overseas.

The third important change was the All-Volunteer U.S. Forces with a recognition that better pay and personnel policies were necessary to attract and keep personnel in the military.

In order to induce military personnel to serve overseas and to serve for extended tours, the military makes every effort to allow families to accompany or join the military sponsor overseas. Further, since many officers and noncommissioned officers, have spouses who are qualified teachers, every attempt is now made to guarantee those spouses' employment overseas as teachers, known as local hires. Local hires [NTE's] represent cost savings because housing and transportation allowances are not paid to local hires. Both DODDS and the military gain from this program, and the OEA does not propose to change this practice of hiring qualified military spouses as teachers in the DODDS system.

An outgrowth of the hiring of more military spouses overseas was the changing of regulations so as to prohibit the playing of benefits to any teacher recruited overseas. This change impacted adversely on tourist hires (at one time a large source of teacher personnel) and military spouses who remained as teachers overseas after the military spouse retired from active duty. In addition, some teachers, because of the suplus number of teachers, traveled overseas to become hires without benefits.

For years, legislative proposals have been introduced to provide teachers recruited overseas equity in benefits compared to teachers recruited stateside. The present legislative proposal attempts to provide DODDS teachers hired overseas equity in benefits if they remain in the system without benefits from military spouses. The question of equity comes after the initial year of employment when the same teacher is to be retained as a career employee. We seek to end the situation of disparate treatment of two career employees based solely on the geographical place of hire.

The second provision is on teacher leave. While other Federal employees receive both sick leave and annual leave, teachers receive only "Teacher Leave."

This legislation provides for accumulation of 12 days' teacher leave plus 3 day's any purpose leave days per school year to put teachers on a more equal basis with other Federal employees who accrue both sick leave and annual leave.

An added factor to this legislation is that male parents may have paternity leave as female parents currently have maternity leave.

The third provision is on sabbatical leave. One of the key factors in providing quality education in the DODDS system is to have highly trained and qualified teachers. The Federal Government has a standard policy of providing training to employees in order to promote job quality. DODDS is generally the exception. Although the Government Training Act applies to DODDS, it is not seriously implemented for teachers. Inservice training is one of the weakest programs in the DODDS system. We believe a sabbatical leave program would help strengthen this program.

On exception does exist to current DODDS practice. The Panama Canal Act of 1979 placed the military schools in the Panama Canal

Zone under DODDS. With the act came a sabbatical leave program for teachers working in Panama.

This legislative proposal attempts to continue the concept of a Government training program and allows DODDS to be uniform throughout the system by providing all teachers after 7 years of service the opportunity to participate in a Government-supported leave program for educational purposes.

The fourth provision is salary. Because of the nature of the profession, Congress sought to provide overseas teachers with a salary schedule equitable to teacher salaries stateside. The passage of Public Law 86–91 attempted to do that, along with placing all teachers on a similar work schedule. Followup legislation, Public Law 89–391, was an attempt to provide more equity by basing salary on school systems in the United States similar in size and nature, along with the requirement (judicially determined by *March* v. *U.S.* (1974, App. D.C.) 506 F.2d 1306), that the rates be determined on present year rather than 1 year in arrears. This is currently done, although teachers wait until the end of the school year, without interest, to receive the difference in pay from the prior school year.

H.R. 6175 legislation attempts to make the salary more equitable to school systems comparable in size (DODDS is the 12th largest school system in enrollment compared to stateside systems) and to realize the increase sooner because data can be provided sooner with fewer systems to survey.

The present DODDS policy provides pay for teachers, who are hired stateside, on the date they report to their duty station or the first date of the school year, whichever comes last. Problems exist when teachers are hired or are at home on leave and cannot report to duty because of management processing problems. Teachers arriving late to the overseas duty site through no fault of their own are being denied pay. This legislation will provide pay for teachers from the first day of the school year regardless of their arrival date if the delay is not the fault of the teacher, as is the practice with other Federal employees. In addition, per diem will be paid for all days used in processing and traveling to and from overseas for initial hires and for teachers on renewal travel.

Along with the need to increase teacher salaries, there is a need to provide teachers with a career ladder whereby teachers may advance in grade and pay without having to leave the classroom.

This legislation also attempts to rectify a discrepancy existing in the number of work days teachers are required to work each school year, currently 190, versus the average number of work days teachers are required to work in stateside school systems of 100,000 or more population, currenty 184. Under this bill, teachers would be compensated for any additional days worked above the average.

Teachers would also receive credit, for salary purposes, for all teaching experience and Federal service, thus removing any limitation now imposed and thereby attracting military veterans, DODDS school administrators, and senior teachers from other systems.

Another provision is on grade equivalency. Due to the status of teachers at class I, the DOD has fixed teachers at a civilian equivalency of GS–9 or GS–11, and at military equivalency of a 03 or 04

for purposes of logistical support. This "rank" is retained regardless of the years of Federal service. H.R. 6175 will provide for a five-tier grading in conjunction with the five-tier salary schedules and service.

The provision on emergency evacuation procedures would require Government-funded travel for teachers when moved for medical reasons and provides for their funded return to their duty site when medically feasible. In contrast to stateside, overseas military medical facilities at a particular site may be limited, thereby requiring extensive transportation to another Government location or return to the United States for medical treatment. While the treatment will be at the expense of the teacher, this bill provides that the Government will provide the expense of the transportation involved in the process. Provision is also made for priority space available travel on Government-owned or contracted aircraft for personal emergencies.

On the issue of school staffing, DODDS staffs (for teachers) on enrollment by allocating one teacher slot for each 27 students in the system. Using the overall allotments, DODDS then tries to staff each school based on requirements acceptable to the North Central Accreditation Agency that accredits the schools. Conceptually this sounds fine, but many schools end up being understaffed. H.R. 6175 attempts to rectify this by requiring staffing on each individual school needs rather than overall enrollment of the system. This will ensure that the special needs of small and remote schools in the system.

Under the medical and dental benefits issue, overseas Federal employees are restricted primarily to American military facilities for medical services because foreign facilities may be inadequate or inaccessible and generally are not covered by medical insurance. Inquiries also exist because: One, teachers are forced to pay for services rendered without choice, even when a doctor is not seen. As of 1 October, an outpatient visit costs $53 and in-patient care costs $423 per day; and two, services are rendered on a priority basis with teachers receiving services, if services are rendered at all, after military personnel and their dependents.

It is essential that teachers have access to the best available medical facilities at the least cost with service consideration being based on employment rather than category. This bill would guarantee to teachers the same level of care given to military dependents.

The provisions for shipment of household goods calls for weight allowances. The present statute provides for a maximum allowance of 18,000 pounds, for both married and single personnel. DOD regulations administratively restrict allowances to 13,500 pounds. H.R 6175 will prevent agency regulations that prohibit the maximum allowance for teachers who spend their entire career overseas.

Due to the nature of the position requiring duty only overseas, teachers accumulate more household belongings than a family that would be on a limited overseas tour. Also, due to their profession, they accumulate professional goods that add weight.

H.R. 6175 allows the maximum statutory weight and removes administrative restrictions imposed by the Department of Defense.

An important provision relates to retirement credit. Due to improper administration of Public Law 86-91 during school years

1959–60 and 1960–61, many teachers were forced to resign at the end of each school year, then rehired the following school year resulting in a loss of retirement credit for the recess period in the summers. Legislation in 1961 prevented further loss for subsequent summers, but did not remedy the 2 years in 1960 and 1961. In addition, under present law each teacher who resigns at the end of the school year loses the summer retirement credit because of resignation. H.R. 6175 attempts to alleviate the problem by giving a full year retirement credit for each one-half year (95 days) worked regardless of resignation date. The legislation would retroactively affect each teacher since 1959 and correct the current OPM position that teachers work one-half a General Service calendar year in order to receive retirement credit for 1 year.

Another provision relates to on-base housing privileges. As a general practice, but not uniformly, DOD civilians are authorized housing, when available, on military bases on the overseas tour of duty (not to exceed 5 years). Once the tour finishes, employees rotate to a new duty station and give up their housing privileges at that site. If said employee returns to the same duty station for a new tour, he/she is once more authorized housing. Since teachers have no tour limitation, they face loss of housing after 5 years at a site without the right to reapply for housing privileges no matter how long they remain at the site. H.R. 6175 attempts to give them the right to military housing regardless of number of years served in one location.

There is also a provision on teacher work day. Because of ever-increasing requirements by DODDS for teachers to work longer hours each day, H.R. 6175 attempts to limit the maximum amount of hours (7) a teacher may be required to work each day without additional compensation. Presently, teachers are required to instruct students for a minimum period of 5½ to 6 hours per day; be on duty 20 minutes prior to the instructional day; and remain at least 30 minutes beyond the instructional day. In addition, they are required to perform administrative duties throughout the duty day with little or no personal relief time and almost no preparation time (especially in the elementary schools). Meetings held after school, such as faculty meetings, child study committees, parent conferences, open house, and curriculum can require from 30 minutes to 2 hours on a given day. In addition, teachers must prepare lesson plans, correct papers and tests, and counsel students. There is also the expectation by DODDS that teachers will sponsor extracurricular activities at minimum wage rates or no pay at all. This adds up to a work day of between 8 to 12 hours. DODDS argues that teachers have always performed professional duties without extra pay. Now is the time to change history and correct this gross abuse of teachers' time by defining the work day.

H.R. 6175 will also release teachers from duty on the days of inclement weather when students are released. Rather than brave the elements to go to an empty school, the time may be better spent at home doing professional preparation.

Due to the limited facilities available to meet the needs of student enrollment and the restriction by the DOD on staffing (27 to 1 ratio), many teachers are forced to accommodate more than 40 students during each instructional period. Professional educators will

tell you that this has an adverse impact on the quality of education students receive. H.R. 6175 will force the DOD and DODDS to provide adequate staffing and/or adequate facilities to meet the needs of the system for quality education.

A key provision relates to tremendous morale problem—movement of teachers. Under the present system, DODDS transfers approximately 100 teachers worldwide each year (1.3 percent of the work force). A need exists to reevaluate the entire teacher transfer program. Most teachers recruited from the United States can now expect to remain in one location for a period in excess of 10 years before being transferred. Lack of movement has created the single most important morale problem with overseas teachers.

Each year teachers apply for a transfer only to be discouraged when only 100 transfers are made; most transfers are given to the elementary grade teachers and specialists. This lack of movement is especially discouraging when teachers see vacancies in their schools being filled by local and stateside hires and not transferees. In addition, they observe significant numbers of administrators being transferred each year regardless of whether there are vacancies or not (approximately 30 percent of the supervisory work force is transferred each school year).

H.R. 6175 attempts to give teachers more movement in the system by giving present teachers priority selection for vacancies for which they are qualified.

Last but not least there is a provision for teachers seeking employment when returning stateside. There is no employment assistance program for teachers leaving the DODDS system and returning for employment in the United States. H.R. 6715 attempts to provide a program whereby returning teachers may apply for other federal positions located in the United States, such as teaching positions in the Department of Education schools, Department of Interior schools, and the Bureau of Indian Affairs schools, and other positions for which they qualify on a noncompetitive basis.

The greatest benefit to the overseas school system will come by attracting and retaining a highly qualified and motivated cadre of teachers. This bill will help accomplish the goal of giving our American servicemen and women the best possible public education for their children.

Many other tasks, such as proper facilities, an efficient supply system, and efficient administrators remain. We still face a situation where the pool for administrators is 85 percent female, yet males constitute 97 percent of administration. This legislation is only a beginning, but a necessary one.

Ms. OAKAR. Thank you. What is the pupil/teacher ratio now for classroom teachers?

Mr. ROLLINS. Well, as we understand the pupil/teacher ratio, meaning how many pupils there are per teacher in this system, it is to be more exact around 24.2 to 1, which encompasses all educators, including specialists in the system.

Ms. OAKAR. What if you have emotionally disturbed children. For example, in some of the special education classes that they have for problemmatic children that need a little more attention in elementary schools as well across the country, do you have a ratio of 1 to 4 or something like that?

Mr. ROLLINS. No, ma'am, there is no PTR concept for specialists, but we do have a concerted effort on the part of the school system to recruit qualified teachers in those specialist fields. The problem is we also actively participate in the mainstream concept whereby the teacher has the responsibility for the students, and then the student is on loan to the specialist on a case-by-case basis. Whatever the teacher, and the specialist, and the counselor, and the principal decide needs attention.

Ms. OAKAR. Would you give us an idea of what the current work day is like at a typical DODDS school?

Mr. ROLLINS. Yes, ma'am. Without trying to be specific on the hour of the day, they do start somewhere around 7:30 in the morning as a classtime. So, that means that some teachers report to duty around 7 a.m. in the morning, or 7:10.

We have a provision in contract that requires teachers to be on site 20 minutes prior to their instructional day. So, schools open, in some regards, 7:30 to 8 o'clock. And then throughout the day they will have anywhere from six, seven and in some schools eight periods. But basically the six period day is the concept that we operate under.

From 7:30 in the morning, there will be a continuous involvement with the students in the elementary level with no breaks, no preparation, other than some schools did have a recess period, but that was not a break for the teachers; that was a break for the kids.

They go until what they call the lunch period. In some schools, there are periods of time set aside whereby teachers do have time to eat. But in a lot of cases, that is in conjunction with the kids—students—whereby they are supervising students as well as both the teacher and the students eat.

But then there are some schools where you have more than one lunch period. And, so, as the teachers release one period for lunch, they very well would perform duties during the other periods concept.

Ms. OAKAR. And with regard to local hires, can you estimate the number of career teachers who do not have any benefits at all?

Mr. ROLLINS. For local hires?

Ms. OAKAR. Right.

Mr. ROLLINS. Well, that wouldn't matter whether you are including all local hires—military dependents, spouses—if we are talking about only the local hires who are not military, we are talking about no more than 200 teachers, career.

But when you throw military dependents and spouses into that, you are talking about 30 to 40 percent of your work force.

Ms. OAKAR. So, it is a much higher percentage.

Mr. ROLLINS. Yes, ma'am.

Ms. OAKAR. And when DODDS actively hires all the eligible military dependents as local hires, what does that do to the substitute pool?

Mr. ROLLINS. Well, in many areas, they exhaust the substitute pool. I might add to that. There is another category of employment called paraprofessional, or teacher aide. And many of the local dependent spouses are hired for those positions.

So, when you hire them for the regular classroom teaching, or specialists positions, and then, in addition, the paraprofessional positions, you greatly reduce the substitute pool.

Ms. OAKAR. If you had to choose one of the most important issues that we try to address in the bill, what would that be?

Mr. ROLLINS. The transfer system, most definitely the transfer system. Of all other provisions, that's the one that is most needed.

Ms. OAKAR. But you would settle for the whole bill, right?

Mr. ROLLINS. Yes, ma'am, of course. [Laughter.]

Ms. OAKAR. I may submit some more questions for the record in writing for all of you, and I want to thank all of you who participated today. We are committed to try to get some better quality and what I perceive to be more of a direct association with fairness to teachers. I guess I am influenced by my own educational background and my own previous career. But, on the other hand, when you add to that an overseas experience with the varieties of problems that come with the youngsters that you try and educate, I think you deserve a little more attention.

Mr. ROLLINS. Thank you, ma'am.

Ms. OAKAR. So, I want to thank you all, and thank my staff for a very fine job.

Thank you for coming.

[Whereupon, at 3:50 p.m., the hearing was concluded.]

[Subsequent to the hearing the following communication was received from the Women's Equity Action League. The attachments A through G referred to in the letter are retained in the official subcommittee record.]

WEAL
Women's Equity Action League

Specialists in Women's Economic Issues

October 9, 1984

Representative Mary Rose Oakar, Chair
Subcommittee on Compensation and Employee Benefits
Committee on Post Office and Civil Service
406 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Oakar:

Thank you for this opportunity to submit the following information to be included as part of the record of testimony on H.R. 6175, the Overseas Teachers Act of 1984. This information regards the employment difficulties experienced by military spouses. As WEAL indicated in our testimony, employment opportunities for military spouses is not only an equal employment opportunity issue for women but also a retention issue for the services.

The following points illustrate the gravity of the situation, as well as evidence of attempts to reconcile the problems by one of the services -- the Army.

1) The labor force participation for military wives has continued to raise, and now is comparable to that civilian wives. In 1980, the labor force participation rate of military wives was 50.2% as compared to 49.2% for civilian wives. (1982 Department of Labor update: military wives 51.9%, civilian wives 51.2%.)

However, the unemployment rate for military wives is much higher than the rate for civilian wives. See (Attachment A: Grossman, Allyson Sherman, "The Employment Situation for Military Wives," Monthly Labor Review, February 1981.) Grossman's study found that the unemployment rate for military spouses was over twice the rate for civilian wives -- 13% to 5%. (1982 Department of Labor update: military wives 13.5%; civilian wives 7.1%.)

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In addition, although military wives' earnings are less than civilian wives', military wives contribute a larger proportion of their families' incomes than do their civilian counterparts.

2) A study of military wives in Germany, published in 1981, found that wives with paying jobs outside the home were significantly better adjusted or more satisfied than wives without such jobs. This points out the importance of outside employment in the development of social support networks. (See Attachment B: Manning, Frederick J. and Emily M. DeRouin, "Employed Wives of US Army Members in Germany Fare Better Than Those Unemployed," Military Medicine, Vol. 146, October 1981.)

3) Air Force data on civilian spouse employment rates indicate that 58% of Air Force civilian wives in the United States and 40% of the wives in Europe are employed. More importantly, 80% of the unemployed civilian wives plan to be employed in the future. (See Attachment C: Orthner, Dennis K., "Families in Blue," Air Force Life and Families, 1980 and Orthner, Dennis K. and Gary L. Bowen, "Families in Blue: Phase II," Insights from Air Force Families in the Pacific, 1982.)

4) The National Military Wives Association conducted a survey in Europe in 1982 and identified spouse employment as a major concern of military families. Consequently, 10 of their 45 major recommendations to the Department of Defense addressed issues of spouse employment. (See Attachment D: National Military Wives Association, "Military Spouse and Family Issues - Europe 1982," Washington, D.C., 1982.)

5) Army Research Institute findings indicate that all categories of spouses (with the one exception of spouses of NCO's who intend to extend their tour of duty in Europe) report that employment opportunities are much worse in Europe than in the United States. (See Attachment E: Army Research Institute, "Research on Army Families in USAREUR," 1983.)

6) The 1984 Army Family Action Plan identified 6 major areas of concern regarding spouse employment and 6 areas of concern regarding education in DoDDS schools. Attachment F, Army Family Action Plan, January 1984 outlines concerns including, for example, limited opportunities for employment, career development and advancement; and obstacles to continuous federal employment. Education problems include the availability of medical support facilities, programs for gifted/talented and handicapped children and school lunch programs.

7) For an additional comparison of demographic characteristics of military and civilian families, please see Attachment G: "Families and Work: Military and Civilian Comparison," American Family, August - September, 1981.

Again, thank you for the opportunity to submit this material for consideration by the Subcommittee.

Sincerely,

Carolyn Becraft

Carolyn Becraft
Director, Women and
the Military Project

enclosures